

## HOUSE OF REPRESENTATIVES—Tuesday, April 28, 1992

The House met at 12 noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Our hearts are grateful to you, O God, for all your gifts to us. In spite of the uncertainties and concerns that each person faces, our hearts and minds can yet rejoice in the blessings, the friendships, the love and affection, the mutual concerns that we share together. May your spirit, O gracious God, that forgives and heals and brings all manner of good, be with each one of us this day and every day. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the JOURNAL of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the JOURNAL stands approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Tennessee [Mr. CLEMENT] please come forward and lead the House in the Pledge of Allegiance?

Mr. CLEMENT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills and a concurrent resolution of the House of the following titles:

H.R. 429. An act to amend certain Federal Reclamation laws to improve enforcement of acreage limitations, and for other purposes;

H.R. 2431. An act to amend the Wild and Scenic Rivers Act by designating a segment of the Lower Merced River in California as a component of the National Wild and Scenic Rivers System;

H.R. 2454. An act to authorize the Secretary of Health and Human Services to impose debarments and other penalties for illegal activities involving the approval of abbreviated drug applications under the Federal Food, Drug, and Cosmetic Act, and for other purposes; and

H. Con. Res. 287. Concurrent resolution setting forth the congressional budget for the United States Government for the fiscal years 1993, 1994, 1995, 1996, and 1997.

The message also announced that the Senate insists upon its amendment to

the resolution (H. Con. Res. 287) "Concurrent resolution setting forth the congressional budget for the U.S. Government for the fiscal years 1993, 1994, 1995, 1996, and 1997" and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SASSER, Mr. JOHNSTON, Mr. RIEGLE, Mr. EXON, Mr. DOMENICI, Mr. SYMMS, and Mr. BOND, to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1128. An act to impose sanctions against foreign persons and U.S. persons that assist foreign countries in acquiring a nuclear explosive device or unsafeguarded special nuclear material, and for other purposes;

S. 2055. An act to amend the Job Training Partnership Act to strengthen the program of employment and training assistance under the act, and for other purposes; and

S. 2620. An act to amend title VII of the Public Health Service Act to correct a technical oversight in the Disadvantaged Minority Health Improvement Act of 1990 (Public Law 101-527) by making schools of osteopathic medicine eligible to participate in the Centers of Excellence Program, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 1254) "An Act to increase the authorized acreage limit for the Assateague Island National Seashore on the Maryland mainland, and for other purposes," with an amendment.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The Speaker laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC.

April 13, 1992.

Hon. THOMAS S. FOLEY,

*The Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER. Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on Monday, April 13, 1992 at 10:58 a.m.: That the Senate agreed to House amendment to S. 838; passed without amendment H.R. 4572 and H.J. Res. 402 and made appointments to the Mexico-United States Interparliamentary Group Conference.

With great respect, I am

Sincerely yours,

DONALD K. ANDERSON,  
*Clerk, House of Representatives.*

## ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker signed the following enrolled bill and joint resolution on Wednesday, April 15, 1992:

H.R. 4572. To direct the Secretary of Health and Human Services to grant a waiver of the requirement limiting the maximum number of individuals enrolled with a health maintenance organization who may be beneficiaries under the Medicare or Medicaid Programs in order to enable the Dayton Area Health Plan, Inc. to continue to provide services through January 1994 to individuals residing in Montgomery County, OH, who are enrolled under a State plan for medical assistance under title XIX of the Social Security Act; and

H.J. Res. 402. Approving the location of a memorial to George Mason.

## REPUBLICAN FUNDRAISER

(Mr. SYNAR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SYNAR. Mr. Speaker, is it any wonder that Americans are fed up with politics as usual, skeptical that their voice will be heard over big money interests.

Tonight, while the rest of us are paying our monthly bills, the Republicans and George Bush are throwing a gala \$7 million fundraiser that brings new meaning to the words—party of privilege.

While most Americans are grappling with medical expenses, making car payments, and meeting the mortgage and rent, political action committees and big business are buying tickets at \$1,500 a piece, tables for \$20,000, and photo opportunities with the President for \$92,000.

There is an alternative. It is called campaign finance reform. Congress has passed it. The President threatens to veto it. No wonder, it would limit special interest influence, soft money and bundling.

Well, Mr. President, campaign finance reform, which has passed the House and which will later pass the Senate this week, will be laid on your desk. If you are truly committed to change, you will have an opportunity to make a strong voice heard that people do count.

## WE MUST COOPERATE WITH JUDGE WILKEY

(Mr. BLILEY asked and was given permission to address the House for 1

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

minute and to revise and extend his remarks.)

Mr. BLILEY. Mr. Speaker, just tell me it is not so. I could not believe the press reports over the weekend about your suggestion that maybe the House should oppose the subpoenas by Judge Wilkey.

Mr. Speaker, do not lead us down another blind alley. Do not repeat our first mistake when we suggested maybe not to make a full disclosure.

Mr. Speaker, we should promise to cooperate with the special counsel. The House cannot at this time hide behind a technicality. The public will perceive it as nothing but a coverup. If we must bring it to a vote, bring it to a vote.

Mr. Speaker, we on this side of the aisle, the Republicans, will support full cooperation with Judge Wilkey.

#### WHAT'S ON THE MENU TONIGHT?

(Mr. GEJDENSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEJDENSON. Mr. Speaker, this evening President Bush and the Republican Party will have the biggest fundraiser in the history of moneyed politics, \$7 million in one night.

I say to my colleagues, you've read the stories about strong-arm tactics and corporations being involved, but have you read the menu? For \$25,000 you might be able to get an EPA administration, or you might be able to get a regulation frozen. For \$75,000 you can get an ambassadorship, maybe, to a small Central American country. For \$100,000 you might be able to get your picture taken with Vice President QUAYLE.

But do not expect to see campaign finance reform on the President's menu. That would be too much of indigestion for his big contributors and special interests at the dinner.

As one of the earlier speakers said, the Senate is about to do what we did, pass campaign finance reform. Let us not talk about reform while we are sucking in \$7 million in one night. Sign campaign finance reform, Mr. President.

#### LET SOME AIR OUT OF HEALTH CARE'S INFLATIONARY BALLOON—SUPPORT H.R. 4280

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I believe we have the potential to develop an effective health care delivery system. We have the components—state-of-the-art technology, plenty of hospital beds, specialists in every area imaginable, but we have obviously left something out because there are 37 million Americans who still cannot afford insurance

for traditional medical attention in a doctor's office, who end up becoming an emergency case for the hospital, and who have come no closer to being able to finance their own health care. So far the answer for many has been to point fingers at any number of groups—insurance companies, doctors, lawyers, hospitals, or even consumers. But for the sake of the future of this country, let's stop pointing fingers at each other. There is now basic legislation in committee that can let some of the air out of health care's inflationary balloon. H.R. 4280 is one part of the answer—it encompasses malpractice reform, improves the small group insurance market, carves out options for long-term care, and introduces consumer choice with a type of medical IRA. These are real changes that could begin to channel health resources to individuals who truly need them. Join me in cosponsoring H.R. 4280, the Health Care Choice and Access Improvement Act. We really cannot afford to wait any longer.

#### PEOPLE IN AMERICA SUFFER WHILE THE REPUBLICANS RAISE \$7 MILLION FOR THEIR CAMPAIGN

(Mr. FLAKE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FLAKE. Mr. Speaker, the record is clear as we in the Congress continue to debate campaign reform and we consider what is happening tonight in relationship to the Republican fundraiser. There are so many of our citizens, who find themselves with meager resources, who cannot even put food on their table, and yet here are people who will pay thousands of dollars, strong armed, to come to be able to support the campaign for the Republican Party. In reality there are those of us within the House who probably would argue that this is the way things ought to be done, but there are so many poor people in America who suffer each and every day of their life, who wonder how we can consistently say that we do not have the resources to provide for their basic needs and then spend so much of our time, energy, and money trying to raise money to run campaigns.

Mr. Speaker, I think it is time for us to rethink how we run campaigns in America and deal with the reality that, if we can raise \$7 million for a campaign, we ought to be able to raise some dollars to meet the needs of America's citizens.

#### GOOD NEWS ABOUT THE TRADE BALANCE

(Mr. BEREUTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BEREUTER. Mr. Speaker, for my export 1 minute today, I would like to pass along some good news.

In February, the last month for which statistics are available, Mr. Speaker, the U.S. trade deficit was its lowest in 9 years. The United States recorded a trade surplus with 9 out of the 12 members of the European Community. Add to this list the countries of Australia, Egypt, Mexico, Norway, New Zealand, all of Eastern Europe and the former Republics of the Soviet Union, and United States exporters definitely have something to smile about.

Mr. Speaker, the declining U.S. trade deficit is good news. Although the trade deficit alone, does not reflect the U.S. economy, it does say that the United States is competitive internationally in many areas.

But, Mr. Speaker, that is not the end of the good news. These figures do not include U.S. trade in services, despite the fact that we lead the world in this important export area. Nor do these figures include reports that U.S. exports have been historically underreported.

Mr. Speaker, the bottom line is that U.S. exports represent a bright spot in America's economic outlook. Nothing dramatizes this extremely important point more than a quote from yesterday's Journal of Commerce.

Mr. Speaker, according to that publication:

Over the past five years, exports have led our economic performance, growing three times as fast as real gross domestic product in every year since 1987. Without this improvement, employment would be 3% lower than it is today, or conversely, unemployment would be 40% greater.

Yes, Mr. Speaker, this is good news. I include the following articles:

[From the Omaha World-Herald, Apr. 19, 1992]

#### DON'T WORRY, BE HAPPY ABOUT TRADE

The doom-and-gloom crowd is at it again. While Americans should be pleased that the U.S. trade deficit has narrowed to its smallest monthly margin in nine years, pessimists persist in looking for negatives in the news of the narrowing trade gap.

February's \$3.38 billion deficit didn't stop one economist from saying that the monthly figures are destined to climb back to around \$5 billion for the rest of 1992. The reason, he said, is that the faltering economy in other parts of the world will harm the growth prospects of America's major trading partners.

But improvement is improvement. Something is going right with the American economy. A strong export performance by manufacturers has helped America improve its trade deficit with the rest of the world. Exports climbed to a record high. Imports dropped for a second straight month.

There are no smoke-and-mirrors tricks involved. No statistical sleight-of-hand, nothing but straight economic fact. The facts say that the trade deficit is getting demonstrably better. America has a trade surplus with Western Europe, Britain, France, Mexico and South Korea.

In February, the Commerce Department announced a 35-percent drop in the trade def-



icit for 1991. At the time, some naysayers argued that the country's improving trade performance was merely a sign that the U.S. economy is so crippled that Americans are less able to afford imported goods.

First it was the lousy domestic economy. Now it's the lousy international economy. What's wrong with crediting the improving trade performance to a welcome sign of renewed American competitiveness in international trade?

[From the Lincoln Journal-Star, Apr. 19, 1992]

#### TRADE BALANCE: BETTER THAN BETTER

Those cheers you hear in Washington—a rare sound these days—are for February's performance in the U.S. balance of trade. Actually, it may be even better than it seems. And it could get better still, if our nation remains dedicated to free trade.

The February trade deficit was \$3.38 billion, compared to \$5.95 billion in January. That was the best showing in almost nine years. Translated into annual terms, the deficit would be \$56 billion, down from last year's \$66.3 billion.

What should be recognized, however, is that this deficit is the merchandise trade deficit, dealing with tangible goods. But just as our national economy is increasingly oriented to services, so is our trade with other countries. The United States is the world's largest exporter of services—professional, financial, educational, health-related.

Statistics for services sold abroad are figured and published differently from those for merchandise. They do not make headlines each month. Yet last year the United States had a trade surplus in services of \$43 billion. That would have brought our true trade deficit for the year down to \$23 billion.

And there's even more to the brighter side. A National Research Council study concluded that our exports last year were underreported by \$20 billion. Factor that in, and the real trade deficit sinks to \$3 billion. Assume service exports are also underreported, and our trade figures may in fact be in balance, or even show a small surplus.

All this suggests two things. First, that our government needs a better system of compiling and reporting trade activity, both imports and exports, services as well as tangible stuff. Second, that it is imperative that foreign markets be kept open to U.S. exports.

U.S. sales of both goods and services in other countries are growing, and the tide of trade is running in our nation's favor. But that could change if foreign markets are closed to us. And surely if we close our own market to our other countries, they are going to bar their doors to U.S. businesses.

In a free-trade atmosphere, we can compete. And that can mean that not too far down the road our balance of trade, which may already be close to being free of red ink, could make headlines each month with surpluses, rather than deficits.

[From the Journal of Commerce, Apr. 27, 1992]

#### US-EC: STUCK AT THE CROSSROADS

(By William Brock)

Last year, the United States recorded a \$12.5 billion trade surplus with Europe, eliminating a bilateral deficit that had plagued the United States during the 1980s. The dramatic growth in our exports to Europe has been a powerful creator of jobs. Fears of American goods being blocked at the barricades of "Fortress Europe" have, so far, proven to be unfounded.

Over the past five years, exports have led our economic performance, growing three times as fast as real gross domestic product in every year since 1987. Without this improvement, employment would be 3% lower than it is today, or, conversely, unemployment would be 40% greater.

The two-way flow of investment capital has also been a source of economic growth. American-owned firms employ more than 4 million workers around the world, including 2.7 million in Europe. Foreign investment in the United States, a phenomenon we have seen more of recently, employs more than 3 million Americans. European-owned firms employ 2.3 million of those workers. And, according to a recent DRI/McGraw-Hill study, those jobs pay wages that are on the average higher than wages for other jobs in the same communities.

In Rochester, N.Y., homegrown companies such as Eastman-Kodak and Xerox exported more than \$2.3 billion worth of goods in 1990. In Austin, Texas, the city's single largest employer, IBM, is one of the largest exporters. Foreign investment in Indianapolis has created 61,400 jobs the study finds, producing \$1.5 billion in wages and \$125 million in tax revenues. And in Raleigh, more than 103,400 jobs are related to foreign investments, 62,000 of those resulting from European investment. In just these four cities studied, hundreds of thousands of jobs, billions of dollars in wages and millions of dollars in tax revenues are generated by foreign trade and investment. Few American cities could fail to tell a similar story.

All of us have a demonstrable stake in the continued health of the U.S.-European relationship. As studies like that of DRI prove time after time, all economics, like all politics, is local.

For half a century a trans-Atlantic partnership has existed, forged by postwar leaders who determined that the devastation of depression and war would not shadow our children. Their effort gave us international institutions to resolve disputes, institutions like the GATT, and they gave us leadership which brought peace and economic growth unequalled in all history. It is time to restore that source of mutual respect and mutual responsibility.

And so from this crossroads we reflect on the disappointment of the Bush-Delors meeting. We must find a way to conclude the Uruguay Round successfully. Beyond this, we must seek other innovative ways to strengthen a relationship that has contributed so much to global stability, peace and economic progress.

□ 1210

#### HOURLY MEETING ON TOMORROW

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

#### EXTENSION OF GI BILL BENEFITS

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Speaker, over the next several months, a large

number of men and women will be voluntarily leaving the armed services as the Active Force is downsized. As an example, more than 22,000 will be leaving the Air Force between now and December.

In February, I wrote Secretary of Defense Dick Cheney and asked him to consider allowing these men and women who did not originally sign up for the GI bill to be given the chance to do so upon separation.

They would put up \$1,200, as is required of all GI bill participants, and then would be eligible for college benefits. They will be receiving around \$20,000 in severance pay and the individual contribution to the GI bill program could be taken from that total.

Those who are being involuntarily separated are already allowed to do this under the Persian Gulf appreciation package. There are many in the Armed Forces who have served 9 or 10 years, for example, who never had the chance to sign up for the GI bill. This would give them the opportunity to pursue a college degree that would help ease the transition back into civilian life.

The Secretary needs to give us an answer on this as soon as possible so we can consider the necessary legislation.

#### FREEDOM FOR SYRIAN JEWRY

(Mr. GILMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker it is with cautious optimism that we greet the recent announcement that the small Jewish community of Syria, long held hostage by President Hafez el-Assad, have been granted freedom of travel and the lifting of racist restrictions regarding property rights. Coming on the heels of last week's release from prison of the Swed brothers, this is a welcome initiative if it indeed becomes fact. No one should have to post monetary bond to ensure their return, and no one should be barred from taking family members along on a foreign trip. But this, as well as other restrictions, have been part of the daily life for the Jews of Syria.

As cochairman of the Congressional Caucus for Syrian Jewry, I can attest to the commitment of the Congress to freedom for the 4,000 Jewish men, women, and children in Syria. The Bush administration has supported these humanitarian efforts, which have been ongoing, with the dedicated assistance of the Congress and the American Jewish community. Having met with members of the Syrian Jewish community in Damascus last summer, I look forward to witnessing the early implementation of these new provisions. We are hopeful that these proposals are not mere smoke and mirrors, but are signs of real change for the

Jews of Syria, and for Syria's respect for human rights.

#### TRIBUTE TO THE WORKERS OF THIS COUNTRY

(Mr. KILDEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KILDEE. Mr. Speaker, today I want to pay tribute to the workers of this country.

There is a reason why we have worker safety laws in this country, for the same reason we have strong environmental protection laws—we must stop the unscrupulous from exploiting our Nation's workers and our natural resources.

I want to share with you a story about my father to illustrate why we need strong safety standards in the workplace.

In the 1930's, my father worked in the Buick plant in Flint, MI. One day, my father was working on his job when the sleeve of his shirt got caught in the machine. My father yelled and screamed for someone to turn off the machine—because there was no device on the line to allow him to do it himself. Finally, someone heard his screams and turned off the machine, before he was seriously injured.

My father was lucky that day, and I will never forget the fright on his face when he told me of that incident. Unfortunately, many workers today are not as lucky as my father.

Mr. Speaker, it is time for the Congress to pass significant OSHA reform legislation. And it is long overdue for this administration to begin enforcing existing job safety laws.

#### IN HONOR OF NATIONAL VICTIMS WEEK

(Mrs. MORELLA asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MORELLA. Mr. Speaker, tomorrow from 12 noon until 3 p.m., in honor of National Victims Week, the Friends of Youth Institute [FYI] will introduce a major, national effort to achieve zero fatalities due to drunk driving by the year 2000. "Zero by 2000" is the first initiative of FYI, a nonprofit organization whose purpose is to give young people experiences and opportunities that will teach them decisionmaking skills about issues such as drinking and driving, AIDS, drug abuse, suicide, and pregnancy.

Mr. Speaker, I urge my colleagues to participate in the demonstration in front of the U.S. Botanic Gardens from 12 until 3. Students from the Washington-Baltimore region will team up with Members of Congress to demonstrate a specially modified car that simulates drunk driving. The simulator will be

touring high schools around the country to educate students on the deadly issue of driving drunk. Let us give "Zero by 2000" our strong support.

#### PRESIDENT SHOULD GROW UP AND ACT PRESIDENTIAL

(Mr. APPELGATE asked and was given permission to address the House for 1 minute.)

Mr. APPELGATE. Mr. Speaker, the people back home are disgusted with all of Government. They are disgusted with the Presidential candidates because they are not talking about the issues. They are disgusted with George Bush because he eschews no leadership. They say he acts like an adolescent whose marbles were stolen and he wants to blame Congress for it.

Mr. Speaker, the people want to know why he does not want to work with Congress and why Congress does not want to work for him. But he has vetoed 27 bills that we have sent to him to help the American people.

Mr. Speaker, the President talks about balancing the budget, my people tell me, and yet he gives Congress a budget for \$1.5 trillion, and it bounced.

Mr. Speaker, the President says he is the President of change. Now here is a man that has been in for 4 years, been Vice President for 8 years, and his changes are that he changes from one week to another. My people are saying why does he not grow up and act like what he is supposed to be when he was elected by them, and that is to be Presidential.

#### WYOMINGITES WANT SOMETHING RESPONSIBLE DONE ABOUT BUDGET DEFICIT

(Mr. THOMAS of Wyoming asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMAS of Wyoming. Mr. Speaker, I rise to share with my colleagues the issue that I found most prominent in Wyoming during my last 2-week visit, and that is doing something about the deficit. People in Wyoming feel like Congress has been irresponsible. People in Wyoming believe that doing something about the deficit ought to be the first priority. People in Wyoming believe that the deficit is dragging down the economy and whatever we do cannot be effective unless we do something about the deficit.

Yet it is hard to believe that frankly we do not spend more time dealing with that issue, dealing with trying to find some solutions.

Instead my colleagues this morning have spent their time posturing politically, instead of doing something about it.

Mr. Speaker, it seems to me that we ought to manage this place to where we spend some time solving problems,

and we need to be more responsible about doing something about the deficit.

#### GOP AND CAMPAIGN FUNDS

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, the Grand Old Party will raise \$7 million tonight in 1 night. They say millionaires are buying tickets faster than favors can be doled out at the White House. In fact, Republicans who raise more than \$100,000 can even get their picture taken with President Bush.

I can see it now—Japanese cameras flashing all over the convention center.

But the President said, "Let's not be misled. We must have campaign finance reform, and the Republican Party must, in fact, develop a safe money system in American politics."

The Republicans have gone from safe sex to safe money. I predict that the Republican concept of safe money will require millionaires to use condoms on all their safe money and their credit cards.

□ 1220

#### BRING HEALTH CARE REFORM TO THE HOUSE FLOOR

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I urge the House leadership to bring the various health reform proposals now before Congress to the floor for complete and open debate.

I held a dozen town meetings on health care reform in my central Florida district during the recent congressional recess. The American people are fed up with our current system and are fed up with Congress for sidestepping this issue.

Too many Americans live in fear of losing access to their current health care. Too many Americans fear losing their life savings to catastrophic illness or being denied coverage due to health condition.

The current health care cost crisis affects everyone. According to a report commissioned by Families USA, the average American family paid more than \$4,000 for health care in 1991.

Business is feeling the cost crunch too. In 1990 the average American employer who offered employees health benefits spent more than \$3,200 for each employee covered by the company's health plan.

Even with these outrageous costs 37 million Americans currently have no health insurance.

Mr. Speaker, finding answers to our current health care problems will not



be easy, but I believe if this body works together—and puts politics aside—a consensus can be found on several significant reforms.

#### HOUSE SHOULD COMPLY WITH SUBPOENA REQUEST OF FEDERAL JUDGE MALCOLM WILKEY

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, special counsel, retired Federal Judge Malcolm Wilkey, has subpoenaed certain records and documents pertaining to Members' transaction at the now defunct House bank. There is understandable reluctance on the part of the bipartisan House leadership in complying with this subpoena based on legal, constitutional and privacy grounds.

Mr. Speaker, I believe bipartisan leadership should respond and comply with the subpoena and provide the Federal judge each and every paper he has requested.

Mr. Speaker, this is not alone a question of constitutional separation of powers, nor a question of coequal branches of Government, nor even a question of a Member's right to privacy. The question is the credibility of the House and the right of the people of America to know the truth.

Mr. Speaker, in this setting, even where there is legitimate concern on our part about the subpoena, that concern must yield to the right of the people of America to know the truth.

#### MEMBERS ARE HERE TO PROTECT THE INSTITUTION

(Mr. NUSSLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NUSSLE. Mr. Speaker, I would join with my colleague who just spoke as well as many others here today who are asking the question, What are we hiding from?

The same question that many people out on the street are asking themselves today with regard to many of the Speaker's public statements with regard to the subpoenas that have been issued by Judge Wilkey. The question that came up during the entire reform battle that we had prior to leaving was, Are we here to protect the institution or individual Members? And we determined that we are here to protect the institution.

Therefore, individual Members in this institution and in this instance should not have the degree of protection that the Speaker is speaking of right now. I have heard a lot of Members say that this is not for the masses but this is for the leadership to determine.

I do not think it should be determined in a smoke-filled room of the

leadership, but rather, this should be open to House debate. This is for the Members of the House to determine. It is not just a constitutional issue, as has been said before.

This is an issue of credibility to the people that we represent. All of us that were back home over the Easter work period recognized the fact that our credibility has been lost, and this is just another way that we will fall down that slippery slope as we move to try and bring back that credibility and that honesty to the House of Representatives.

I think that the full Membership of this body needs to determine this, needs to debate this and needs to make the kind of disclosure and the kind of compliance with these subpoenas that is requested.

#### NATIONAL ASSOCIATION OF FEDERAL CREDIT UNIONS—CONGRATULATIONS ON 25 YEARS OF OUTSTANDING SERVICE

(Mr. MORAN asked and was given permission to address the House for 1 minute.)

Mr. MORAN. Mr. Speaker, yesterday marked the 25th anniversary of the National Association of Federal Credit Unions [NAFCU]. NAFCU represents more than 750 Federal credit unions and the 17 million customers they serve. There are 300 of those Federal credit unions in Virginia, representing more than 3 million members. That is about half of the State.

It is the only national trade association exclusively representing the interests of Federal credit unions, and throughout this 25-year period, NAFCU has provided its members with strong representation before Congress and the Federal regulatory agencies.

I am also very proud to note the NAFCU just moved to my congressional district in Alexandria, VA, and we are very proud to have them there. They have helped create the national credit union share insurance fund, the National Credit Union Administration as an independent Federal regulator, and the central liquidity facility, which has been providing the credit union community with additional stability since 1978.

All those measures have helped bring greater stability, safety, and soundness to credit unions. As a result, the industry as a whole has thrived.

With low-cost efficient services, impeccable credentials of safety and soundness, and a human face and an understanding of local community needs, their motto "Not for charity, not for profit, but for service," has served them well.

With the leadership of organizations like the National Association of Federal Credit Unions, credit unions will continue to grow and to serve their communities.

#### THE DODGE DRUNK DRIVING SIMULATOR

(Mrs. BYRON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BYRON. Mr. Speaker, I would like to take this opportunity to inform my colleagues about an important event scheduled for tomorrow. Friends of Youth Institute, a new charitable organization devoted to the prevention of teenage alcohol-related traffic deaths, will be demonstrating a remarkable device in front of the Capitol at the Botanical Gardens. The device is known as the Dodge Drunk Driving Simulator—a computer programmed automobile which delays the braking and steering response time in accordance with the driver's weight and number of drinks consumed. Simply put, this car lets a sober driver attempt to drive a car that is programmed to be drunk. It is a powerful tool in the continuing fight to eliminate drinking and driving. The press conference begins at 12:30 and the simulator will be available for test driving through 3 p.m. I urge my colleagues to stop by for a quick test drive—the results will be stunning.

#### THE COMMITTEE ON APPROPRIATIONS OMNIBUS—RESCISSION BILL

(Mr. FAWELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FAWELL. Mr. Speaker, an historic event will occur in the House sometime over the next 2 weeks. Tomorrow, in response to the first 68 rescission messages President Bush has sent to Congress, the Appropriations Committee will mark up its own omnibus rescission bill. The significance of this occurrence is not that Congress is proposing its own rescissions—the significance is that we are going to have the opportunity to debate the projects proposed for rescission on the floor of the House. As it so conveniently does when funding pork barrel projects, the committee generally proposes rescissions in large omnibus bills which never allow the opportunity for full consideration of Presidential rescission proposals.

As the cochairman of the bipartisan porkbusters group, I welcome the appropriators' efforts to identify and eliminate wasteful spending. Porkbusting is a bipartisan endeavor we all should be engaged in to ensure that we are making wise use of the taxpayers' money.

While we welcome the committee to the fight against wasteful spending, I think it is important to stress that their rescission effort is complimentary to, rather than a substitute for, the President's rescission proposals. I

urge my colleagues to join me in opposing any attempt to squash our right to have separate consideration of the President's proposals. We should have an up or down vote on each of these projects to see if, in fact, Congress actually does support spending taxpayers' money on Hawaiian arts and crafts, a parking garage, or research on oil from jojoba.

If the majority of Congress does actually support such programs, by all means, let's fund them. If the majority does not, however, it's time to quit wasting money on them and channel those funds to national priorities. But we will never know—and the public will never know—unless we have a project-by-project vote to see exactly what the will of this body is.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. NEAL of North Carolina). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall vote, if postponed, will be taken tomorrow.

□ 1230

#### GENERIC DRUG ENFORCEMENT ACT OF 1991

Mr. WAXMAN. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 2454) to authorize the Secretary of Health and Human Services to impose debarments and other penalties for illegal activities involving the approval of abbreviated drug applications under the Federal Food, Drug, and Cosmetic Act, and for other purposes.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

#### SECTION 1. SHORT TITLE; REFERENCE; FINDINGS; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Generic Drug Enforcement Act of 1992".

(b) **REFERENCE.**—Whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Federal Food, Drug, and Cosmetic Act.

(c) **FINDINGS.**—The Congress finds that—

(1) there is substantial evidence that significant corruption occurred in the Food and Drug Administration's process of approving drugs under abbreviated drug applications,

(2) there is a need to establish procedures designed to restore and to ensure the integrity of the abbreviated drug application approval process and to protect the public health, and

(3) there is a need to establish procedures to bar individuals who have been convicted of crimes pertaining to the regulation of drug products from working for companies that manufacture or distribute such products.

#### (d) TABLE OF CONTENTS.—

Sec. 1. Short title; reference; findings; table of contents.

Sec. 2. Debarment and other restrictions.

"Sec. 306. Debarment, temporary denial of approval, and suspension.

"(a) Mandatory debarment.

"(b) Permissive debarment.

"(c) Debarment period and considerations.

"(d) Termination of debarment.

"(e) Publication and list of debarred persons.

"(f) Temporary denial of approval.

"(g) Suspension authority.

"(h) Termination of suspension.

"(i) Procedure.

"(j) Judicial review.

"(k) Certification.

"(l) Applicability."

Sec. 3. Civil penalties.

"Sec. 307. Civil penalties.

"(a) In general.

"(b) Procedure.

"(c) Judicial review.

"(d) Recovery of penalties.

"(e) Informants."

Sec. 4. Authority to withdraw approval of abbreviated drug applications.

"Sec. 308. Authority to withdraw approval of abbreviated drug applications.

"(a) In general.

"(b) Procedure.

"(c) Applicability.

"(d) Judicial review."

Sec. 5. Information.

Sec. 6. Definitions.

Sec. 7. Effect on other laws.

#### SEC. 2. DEBARMENT AND OTHER RESTRICTIONS.

Sections 306 and 307 (21 U.S.C. 336, 337) are redesignated as sections 309 and 310, respectively, and the following is inserted after section 305:

#### "DEBARMENT, TEMPORARY DENIAL OF APPROVAL, AND SUSPENSION

##### "SEC. 306. (a) MANDATORY DEBARMENT.—

"(1) **CORPORATIONS, PARTNERSHIPS, AND ASSOCIATIONS.**—If the Secretary finds that a person other than an individual has been convicted, after the date of the enactment of this section, of a felony under Federal law for conduct relating to the development or approval, including the process for development or approval, of any abbreviated drug application, the Secretary shall debar such person from submitting, or assisting in the submission of, any such application.

"(2) **INDIVIDUALS.**—If the Secretary finds that an individual has been convicted of a felony under Federal law for conduct—

"(A) relating to the development or approval, including the process for development or approval, of any drug product, or

"(B) otherwise relating to the regulation of any drug product under this Act,

the Secretary shall debar such individual from providing services in any capacity to a person that has an approved or pending drug product application.

##### "(b) **PERMISSIVE DEBARMENT.**—

"(1) **IN GENERAL.**—The Secretary, on the Secretary's own initiative or in response to a petition, may, in accordance with paragraph (2), debar—

"(A) a person other than an individual from submitting or assisting in the submission of any abbreviated drug application, or

"(B) an individual from providing services in any capacity to a person that has an approved or pending drug product application.

"(2) **PERSONS SUBJECT TO PERMISSIVE DEBARMENT.**—The following persons are subject to debarment under paragraph (1):

"(A) **CORPORATIONS, PARTNERSHIPS, AND ASSOCIATIONS.**—Any person other than an individual that the Secretary finds has been convicted—

"(i) for conduct that—

"(I) relates to the development or approval, including the process for the development or approval, of any abbreviated drug application; and

"(II) is a felony under Federal law (if the person was convicted before the date of the enactment of this section), a misdemeanor under Federal law, or a felony under State law, or

"(ii) of a conspiracy to commit, or aiding or abetting, a criminal offense described in clause (i) or a felony described in subsection (a)(1),

if the Secretary finds that the type of conduct which served as the basis for such conviction undermines the process for the regulation of drugs.

##### "(B) **INDIVIDUALS.**—

"(i) Any individual whom the Secretary finds has been convicted of—

"(I) a misdemeanor under Federal law or a felony under State law for conduct relating to the development or approval, including the process for development or approval, of any drug product or otherwise relating to the regulation of drug products under this Act, or

"(II) a conspiracy to commit, or aiding or abetting, such criminal offense or a felony described in subsection (a)(2),

if the Secretary finds that the type of conduct which served as the basis for such conviction undermines the process for the regulation of drugs.

"(ii) Any individual whom the Secretary finds has been convicted of—

"(I) a felony which is not described in subsection (a)(2) or clause (i) of this subparagraph and which involves bribery, payment of illegal gratuities, fraud, perjury, false statement, racketeering, blackmail, extortion, falsification or destruction of records, or interference with, obstruction of an investigation into, or prosecution of, any criminal offense, or

"(II) a conspiracy to commit, or aiding or abetting, such felony,

if the Secretary finds, on the basis of the conviction of such individual and other information, that such individual has demonstrated a pattern of conduct sufficient to find that there is reason to believe that such individual may violate requirements under this Act relating to drug products.

"(iii) Any individual whom the Secretary finds materially participated in acts that were the basis for a conviction for an offense described in subsection (a) or in clause (i) or (ii) for which a conviction was obtained, if the Secretary finds, on the basis of such participation and other information, that such individual has demonstrated a pattern of conduct sufficient to find that there is reason to believe that such individual may violate requirements under this Act relating to drug products.

"(iv) Any high managerial agent whom the Secretary finds—

"(I) worked for, or worked as a consultant for, the same person as another individual during the period in which such other individual took actions for which a felony conviction was obtained and which resulted in the debarment under subsection (a)(2), or clause (i), of such other individual,

"(II) had actual knowledge of the actions described in subclause (I) of such other individual, or took action to avoid such actual knowledge, or failed to take action for the purpose of avoiding such actual knowledge,

"(III) knew that the actions described in subclause (I) were violative of law, and

"(IV) did not report such actions, or did not cause such actions to be reported, to an officer, employee, or agent of the Department or to an



appropriate law enforcement officer, or failed to take other appropriate action that would have ensured that the process for the regulation of drugs was not undermined, within a reasonable time after such agent first knew of such actions, if the Secretary finds that the type of conduct which served as the basis for such other individual's conviction undermines the process for the regulation of drugs.

"(3) STAY OF CERTAIN ORDERS.—An order of the Secretary under clause (iii) or (iv) of paragraph (2)(B) shall not take effect until 30 days after the order has been issued.

"(c) DEBARMENT PERIOD AND CONSIDERATIONS.—

"(1) EFFECT OF DEBARMENT.—The Secretary—

"(A) shall not accept or review (other than in connection with an audit under this section) any abbreviated drug application submitted by or with the assistance of a person debarred under subsection (a)(1) or (b)(2)(A) during the period such person is debarred.

"(B) shall, during the period of a debarment under subsection (a)(2) or (b)(2)(B), debar an individual from providing services in any capacity to a person that has an approved or pending drug product application and shall not accept or review (other than in connection with an audit under this section) an abbreviated drug application from such individual, and

"(C) shall, if the Secretary makes the finding described in paragraph (6) or (7) of section 307(a), assess a civil penalty in accordance with section 307.

"(2) DEBARMENT PERIODS.—

"(A) IN GENERAL.—The Secretary shall debar a person under subsection (a) or (b) for the following periods:

"(i) The period of debarment of a person (other than an individual) under subsection (a)(1) shall not be less than 1 year or more than 10 years, but if an act leading to a subsequent debarment under subsection (a) occurs within 10 years after such person has been debarred under subsection (a)(1), the period of debarment shall be permanent.

"(ii) The debarment of an individual under subsection (a)(2) shall be permanent.

"(iii) The period of debarment of any person under subsection (b)(2) shall not be more than 5 years.

The Secretary may determine whether debarment periods shall run concurrently or consecutively in the case of a person debarred for multiple offenses.

"(B) NOTIFICATION.—Upon a conviction for an offense described in subsection (a) or (b) or upon execution of an agreement with the United States to plead guilty to such an offense, the person involved may notify the Secretary that the person acquiesces to debarment and such person's debarment shall commence upon such notification.

"(3) CONSIDERATIONS.—In determining the appropriateness and the period of a debarment of a person under subsection (b) and any period of debarment beyond the minimum specified in subparagraph (A)(i) of paragraph (2), the Secretary shall consider where applicable—

"(A) the nature and seriousness of any offense involved,

"(B) the nature and extent of management participation in any offense involved, whether corporate policies and practices encouraged the offense, including whether inadequate institutional controls contributed to the offense,

"(C) the nature and extent of voluntary steps to mitigate the impact on the public of any offense involved, including the recall or the discontinuation of the distribution of suspect drugs, full cooperation with any investigations (including the extent of disclosure to appropriate authorities of all wrongdoing), the relinquishing of profits on drug approvals fraudu-

lently obtained, and any other actions taken to substantially limit potential or actual adverse effects on the public health,

"(D) whether the extent to which changes in ownership, management, or operations have corrected the causes of any offense involved and provide reasonable assurances that the offense will not occur in the future,

"(E) whether the person to be debarred is able to present adequate evidence that current production of drugs subject to abbreviated drug applications and all pending abbreviated drug applications are free of fraud or material false statements, and

"(F) prior convictions under this Act or under other Acts involving matters within the jurisdiction of the Food and Drug Administration.

"(d) TERMINATION OF DEBARMENT.—

"(1) APPLICATION.—Any person that is debarred under subsection (a) (other than a person permanently debarred) or any person that is debarred under subsection (b) may apply to the Secretary for termination of the debarment under this subsection. Any information submitted to the Secretary under this paragraph does not constitute an amendment or supplement to pending or approved abbreviated drug applications.

"(2) DEADLINE.—The Secretary shall grant or deny any application respecting a debarment which is submitted under paragraph (1) within 180 days of the date the application is submitted.

"(3) ACTION BY THE SECRETARY.—

"(A) CORPORATIONS.—

"(i) CONVICTION REVERSAL.—If the conviction which served as the basis for the debarment of a person under subsection (a)(1) or (b)(2)(A) is reversed, the Secretary shall withdraw the order of debarment.

"(ii) APPLICATION.—Upon application submitted under paragraph (1), the Secretary shall terminate the debarment of a person if the Secretary finds that—

"(I) changes in ownership, management, or operations have fully corrected the causes of the offense involved and provide reasonable assurances that the offense will not occur in the future, and

"(II) sufficient audits, conducted by the Food and Drug Administration or by independent experts acceptable to the Food and Drug Administration, demonstrate that pending applications and the development of drugs being tested before the submission of an application are free of fraud or material false statements.

In the case of persons debarred under subsection (a)(1), such termination shall take effect no earlier than the expiration of one year from the date of the debarment.

"(B) INDIVIDUALS.—

"(i) CONVICTION REVERSAL.—If the conviction which served as the basis for the debarment of an individual under subsection (a)(2) or clause (i), (ii), (iii), or (iv) of subsection (b)(2)(B) is reversed, the Secretary shall withdraw the order of debarment.

"(ii) APPLICATION.—Upon application submitted under paragraph (1), the Secretary shall terminate the debarment of an individual who has been debarred under subsection (b)(2)(B) if such termination serves the interests of justice and adequately protects the integrity of the drug approval process.

"(4) SPECIAL TERMINATION.—

"(A) APPLICATION.—Any person that is debarred under subsection (a)(1) (other than a person permanently debarred under subsection (c)(2)(A)(i)) or any individual who is debarred under subsection (a)(2) may apply to the Secretary for special termination of debarment under this subsection. Any information submitted to the Secretary under this subparagraph does not constitute an amendment or supple-

ment to pending or approved abbreviated drug applications.

"(B) CORPORATIONS.—Upon an application submitted under subparagraph (A), the Secretary may take the action described in subparagraph (D) if the Secretary, after an informal hearing, finds that—

"(i) the person making the application under subparagraph (A) has demonstrated that the felony conviction which was the basis for such person's debarment involved the commission of an offense which was not authorized, requested, commanded, performed, or recklessly tolerated by the board of directors or by a high managerial agent acting on behalf of the person within the scope of the board's or agent's office or employment,

"(ii) all individuals who were involved in the commission of the offense or who knew or should have known of the offense have been removed from employment involving the development or approval of any drug subject to sections 505 or 507,

"(iii) the person fully cooperated with all investigations and promptly disclosed all wrongdoing to the appropriate authorities, and

"(iv) the person acted to mitigate any impact on the public of any offense involved, including the recall, or the discontinuation of the distribution, of any drug with respect to which the Secretary requested a recall or discontinuation of distribution due to concerns about the safety or efficacy of the drug.

"(C) INDIVIDUALS.—Upon an application submitted under subparagraph (A), the Secretary may take the action described in subparagraph (D) if the Secretary, after an informal hearing, finds that such individual has provided substantial assistance in the investigations or prosecutions of offenses which are described in subsection (a) or (b) or which relate to any matter under the jurisdiction of the Food and Drug Administration.

"(D) SECRETARIAL ACTION.—The action referred to in subparagraphs (B) and (C) is—

"(i) in the case of a person other than an individual—

"(I) terminating the debarment immediately, or

"(II) limiting the period of debarment to less than one year, and

"(ii) in the case of an individual, limiting the period of debarment to less than permanent but to no less than 1 year,

whichever best serves the interest of justice and protects the integrity of the drug approval process.

"(e) PUBLICATION AND LIST OF DEBARRED PERSONS.—The Secretary shall publish in the Federal Register the name of any person debarred under subsection (a) or (b), the effective date of the debarment, and the period of the debarment. The Secretary shall also maintain and make available to the public a list, updated no less often than quarterly, of such persons, of the effective dates and minimum periods of such debarments, and of the termination of debarments.

"(f) TEMPORARY DENIAL OF APPROVAL.—

"(1) IN GENERAL.—The Secretary, on the Secretary's own initiative or in response to a petition, may, in accordance with paragraph (3), refuse by order, for the period prescribed by paragraph (2), to approve any abbreviated drug application submitted by any person—

"(A) if such person is under an active Federal criminal investigation in connection with an action described in subparagraph (B),

"(B) if the Secretary finds that such person—

"(i) has bribed or attempted to bribe, has paid or attempted to pay an illegal gratuity, or has induced or attempted to induce another person to bribe or pay an illegal gratuity to any officer, employee, or agent of the Department of Health

and Human Services or to any other Federal, State, or local official in connection with any abbreviated drug application, or has conspired to commit, or aided or abetted, such actions, or

"(ii) has knowingly made or caused to be made a pattern or practice of false statements or misrepresentations with respect to material facts relating to any abbreviated drug application, or the production of any drug subject to an abbreviated drug application, to any officer, employee, or agent of the Department of Health and Human Services, or has conspired to commit, or aided or abetted, such actions, and

"(C) if a significant question has been raised regarding—

"(i) the integrity of the approval process with respect to such abbreviated drug application, or

"(ii) the reliability of data in or concerning such person's abbreviated drug application.

Such an order may be modified or terminated at any time.

"(2) APPLICABLE PERIOD.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), a denial of approval of an application of a person under paragraph (1) shall be in effect for a period determined by the Secretary but not to exceed 18 months beginning on the date the Secretary finds that the conditions described in subparagraphs (A), (B), and (C) of paragraph (1) exist. The Secretary shall terminate such denial—

"(i) if the investigation with respect to which the finding was made does not result in a criminal charge against such person, if criminal charges have been brought and the charges have been dismissed, or if a judgment of acquittal has been entered, or

"(ii) if the Secretary determines that such finding was in error.

"(B) EXTENSION.—If, at the end of the period described in subparagraph (A), the Secretary determines that a person has been criminally charged for an action described in subparagraph (B) of paragraph (1), the Secretary may extend the period of denial of approval of an application for a period not to exceed 18 months. The Secretary shall terminate such extension if the charges have been dismissed, if a judgment of acquittal has been entered, or if the Secretary determines that the finding described in subparagraph (A) was in error.

"(3) INFORMAL HEARING.—Within 10 days of the date an order is issued under paragraph (1), the Secretary shall provide such person with an opportunity for an informal hearing, to be held within such 10 days, on the decision of the Secretary to refuse approval of an abbreviated drug application. Within 60 days of the date on which such hearing is held, the Secretary shall notify the person given such hearing whether the Secretary's refusal of approval will be continued, terminated, or otherwise modified. Such notification shall be final agency action.

"(g) SUSPENSION AUTHORITY.—

"(1) IN GENERAL.—If—

"(A) the Secretary finds—

"(i) that a person has engaged in conduct described in subparagraph (B) of subsection (f)(1) in connection with 2 or more drugs under abbreviated drug applications, or

"(ii) that a person has engaged in flagrant and repeated, material violations of good manufacturing practice or good laboratory practice in connection with the development, manufacturing, or distribution of one or more drugs approved under an abbreviated drug application during a 2-year period, and—

"(I) such violations may undermine the safety and efficacy of such drugs, and

"(II) the causes of such violations have not been corrected within a reasonable period of time following notice of such violations by the Secretary, and

"(B) such person is under an active investigation by a Federal authority in connection with

a civil or criminal action involving conduct described in subparagraph (A),

the Secretary shall issue an order suspending the distribution of all drugs the development or approval of which was related to such conduct described in subparagraph (A) or suspending the distribution of all drugs approved under abbreviated drug applications of such person if the Secretary finds that such conduct may have affected the development or approval of a significant number of drugs which the Secretary is unable to identify. The Secretary shall exclude a drug from such order if the Secretary determines that such conduct was not likely to have influenced the safety or efficacy of such drug.

"(2) PUBLIC HEALTH WAIVER.—The Secretary shall, on the Secretary's own initiative or in response to a petition, waive the suspension under paragraph (1) (involving an action described in paragraph (1)(A)(i)) with respect to any drug if the Secretary finds that such waiver is necessary to protect the public health because sufficient quantities of the drug would not otherwise be available. The Secretary shall act on any petition seeking action under this paragraph within 180 days of the date the petition is submitted to the Secretary.

"(h) TERMINATION OF SUSPENSION.—The Secretary shall withdraw an order of suspension of the distribution of a drug under subsection (g) if the person with respect to whom the order was issued demonstrates in a petition to the Secretary—

"(1)(A) on the basis of an audit by the Food and Drug Administration or by experts acceptable to the Food and Drug Administration, or on the basis of other information, that the development, approval, manufacturing, and distribution of such drug is in substantial compliance with the applicable requirements of this Act, and

"(B) changes in ownership, management, or operations—

"(i) fully remedy the patterns or practices with respect to which the order was issued, and

"(ii) provide reasonable assurances that such actions will not occur in the future, or

"(2) the initial determination was in error.

The Secretary shall act on a submission of a petition under this subsection within 180 days of the date of its submission and the Secretary may consider the petition concurrently with the suspension proceeding. Any information submitted to the Secretary under this subsection does not constitute an amendment or supplement to a pending or approved abbreviated drug application.

"(i) PROCEDURE.—The Secretary may not take any action under subsection (a), (b), (c), (d)(3), (g), or (h) with respect to any person unless the Secretary has issued an order for such action made on the record after opportunity for an agency hearing on disputed issues of material fact. In the course of any investigation or hearing under this subsection, the Secretary may administer oaths and affirmations, examine witnesses, receive evidence, and issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence that relates to the matter under investigation.

"(j) JUDICIAL REVIEW.—

"(1) IN GENERAL.—Except as provided in paragraph (2), any person that is the subject of an adverse decision under subsection (a), (b), (c), (d), (f), (g), or (h) may obtain a review of such decision by the United States Court of Appeals for the District of Columbia or for the circuit in which the person resides, by filing in such court (within 60 days following the date the person is notified of the Secretary's decision) a petition requesting that the decision be modified or set aside.

"(2) EXCEPTION.—Any person that is the subject of an adverse decision under clause (iii) or

(iv) of subsection (b)(2)(B) may obtain a review of such decision by the United States District Court for the District of Columbia or a district court of the United States for the district in which the person resides, by filing in such court (within 30 days following the date the person is notified of the Secretary's decision) a complaint requesting that the decision be modified or set aside. In such an action, the court shall determine the matter de novo.

"(k) CERTIFICATION.—Any application for approval of a drug product shall include—

"(1) a certification that the applicant did not and will not use in any capacity the services of any person debarred under subsection (a) or (b), in connection with such application, and

"(2) if such application is an abbreviated drug application, a list of all convictions, described in subsections (a) and (b) which occurred within the previous 5 years, of the applicant and affiliated persons responsible for the development or submission of such application.

"(l) APPLICABILITY.—

"(1) CONVICTION.—For purposes of this section, a person is considered to have been convicted of a criminal offense—

"(A) when a judgment of conviction has been entered against the person by a Federal or State court, regardless of whether there is an appeal pending,

"(B) when a plea of guilty or nolo contendere by the person has been accepted by a Federal or State court, or

"(C) when the person has entered into participation in a first offender, deferred adjudication, or other similar arrangement or program where judgment of conviction has been withheld.

"(2) EFFECTIVE DATES.—Subsection (a), subparagraph (A) of subsection (b)(2), and clauses (i) and (ii) of subsection (b)(2)(B) shall not apply to a conviction which occurred more than 5 years before the initiation of an agency action proposed to be taken under subsection (a) or (b). Clauses (iii) and (iv) of subsection (b)(2)(B) and subsections (f) and (g) shall not apply to an act or action which occurred more than 5 years before the initiation of an agency action proposed to be taken under subsection (b), (f), or (g). Clause (iv) of subsection (b)(2)(B) shall not apply to an action which occurred before June 1, 1992. Subsection (k) shall not apply to applications submitted to the Secretary before June 1, 1992."

SEC. 3. CIVIL PENALTIES.

Chapter III, as amended by section 2, is amended by adding after section 306 the following:

"CIVIL PENALTIES

"SEC. 307. (a) IN GENERAL.—Any person that the Secretary finds—

"(1) knowingly made or caused to be made, to any officer, employee, or agent of the Department of Health and Human Services, a false statement or misrepresentation of a material fact in connection with an abbreviated drug application,

"(2) bribed or attempted to bribe or paid or attempted to pay an illegal gratuity to any officer, employee, or agent of the Department of Health and Human Services in connection with an abbreviated drug application,

"(3) destroyed, altered, removed, or secreted, or procured the destruction, alteration, removal, or secretion of, any material document or other material evidence which was the property of or in the possession of the Department of Health and Human Services for the purpose of interfering with that Department's discharge of its responsibilities in connection with an abbreviated drug application,

"(4) knowingly failed to disclose, to an officer or employee of the Department of Health and Human Services, a material fact which such person had an obligation to disclose relating to any drug subject to an abbreviated drug application,



"(5) knowingly obstructed an investigation of the Department of Health and Human Services into any drug subject to an abbreviated drug application.

"(6) is a person that has an approved or pending drug product application and has knowingly—

"(A) employed or retained as a consultant or contractor, or

"(B) otherwise used in any capacity the services of,

a person who was debarred under section 306, or

"(7) is an individual debarred under section 306 and, during the period of debarment, provided services in any capacity to a person that had an approved or pending drug product application,

shall be liable to the United States for a civil penalty for each such violation in an amount not to exceed \$250,000 in the case of an individual and \$1,000,000 in the case of any other person.

"(b) PROCEDURE.—

"(1) IN GENERAL.—

"(A) ACTION BY THE SECRETARY.—A civil penalty under subsection (a) shall be assessed by the Secretary on a person by an order made on the record after an opportunity for an agency hearing on disputed issues of material fact and the amount of the penalty. In the course of any investigation or hearing under this subparagraph, the Secretary may administer oaths and affirmations, examine witnesses, receive evidence, and issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence that relates to the matter under investigation.

"(B) ACTION BY THE ATTORNEY GENERAL.—In lieu of a proceeding under subparagraph (A), the Attorney General may, upon request of the Secretary, institute a civil action to recover a civil money penalty in the amount and for any of the acts set forth in subsection (a). Such an action may be instituted separately from or in connection with any other claim, civil or criminal, initiated by the Attorney General under this Act.

"(2) AMOUNT.—In determining the amount of a civil penalty under paragraph (1), the Secretary or the court shall take into account the nature, circumstances, extent, and gravity of the act subject to penalty, the person's ability to pay, the effect on the person's ability to continue to do business, any history of prior, similar acts, and such other matters as justice may require.

"(3) LIMITATION ON ACTIONS.—No action may be initiated under this section—

"(A) with respect to any act described in subsection (a) that occurred before the date of the enactment of this Act, or

"(B) more than 6 years after the date when facts material to the act are known or reasonably should have been known by the Secretary but in no event more than 10 years after the date the act took place.

"(c) JUDICIAL REVIEW.—Any person that is the subject of an adverse decision under subsection (b)(1)(A) may obtain a review of such decision by the United States Court of Appeals for the District of Columbia or for the circuit in which the person resides, by filing in such court (within 60 days following the date the person is notified of the Secretary's decision) a petition requesting that the decision be modified or set aside.

"(d) RECOVERY OF PENALTIES.—The Attorney General may recover any civil penalty (plus interest at the currently prevailing rates from the date the penalty became final) assessed under subsection (b)(1)(A) in an action brought in the name of the United States. The amount of such penalty may be deducted, when the penalty has become final, from any sums then or later owing

by the United States to the person against whom the penalty has been assessed. In an action brought under this subsection, the validity, amount, and appropriateness of the penalty shall not be subject to judicial review.

"(e) INFORMANTS.—The Secretary may award to any individual (other than an officer or employee of the Federal Government or a person who materially participated in any conduct described in subsection (a)) who provides information leading to the imposition of a civil penalty under this section an amount not to exceed—

"(1) \$250,000, or

"(2) one-half of the penalty so imposed and collected,

whichever is less. The decision of the Secretary on such award shall not be reviewable."

#### SEC. 4. AUTHORITY TO WITHDRAW APPROVAL OF ABBREVIATED DRUG APPLICATIONS.

Chapter III, as amended by sections 2 and 3, is amended by adding after section 307 the following:

##### "AUTHORITY TO WITHDRAW APPROVAL OF ABBREVIATED DRUG APPLICATIONS

"SEC. 308. (a) IN GENERAL.—The Secretary—

"(1) shall withdraw approval of an abbreviated drug application if the Secretary finds that the approval was obtained, expedited, or otherwise facilitated through bribery, payment of an illegal gratuity, or fraud or material false statement, and

"(2) may withdraw approval of an abbreviated drug application if the Secretary finds that the applicant has repeatedly demonstrated a lack of ability to produce the drug for which the application was submitted in accordance with the formulations or manufacturing practice set forth in the abbreviated drug application and has introduced, or attempted to introduce, such adulterated or misbranded drug into commerce.

"(b) PROCEDURE.—The Secretary may not take any action under subsection (a) with respect to any person unless the Secretary has issued an order for such action made on the record after opportunity for an agency hearing on disputed issues of material fact. In the course of any investigation or hearing under this subsection, the Secretary may administer oaths and affirmations, examine witnesses, receive evidence, and issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence that relates to the matter under investigation.

"(c) APPLICABILITY.—Subsection (a) shall apply with respect to offenses or acts regardless of when such offenses or acts occurred.

"(d) JUDICIAL REVIEW.—Any person that is the subject of an adverse decision under subsection (a) may obtain a review of such decision by the United States Court of Appeals for the District of Columbia or for the circuit in which the person resides, by filing in such court (within 60 days following the date the person is notified of the Secretary's decision) a petition requesting that the decision be modified or set aside."

#### SEC. 5. INFORMATION.

Section 505(j) (21 U.S.C. 355(j)) is amended by adding at the end the following:

"(8) The Secretary shall, with respect to each application submitted under this subsection, maintain a record of—

"(A) the name of the applicant,

"(B) the name of the drug covered by the application,

"(C) the name of each person to whom the review of the chemistry of the application was assigned and the date of such assignment, and

"(D) the name of each person to whom the bioequivalence review for such application was assigned and the date of such assignment.

The information the Secretary is required to maintain under this paragraph with respect to

an application submitted under this subsection shall be made available to the public after the approval of such application."

#### SEC. 6. DEFINITIONS.

Section 201 (21 U.S.C. 321) is amended by adding at the end the following:

"(bb) The term 'abbreviated drug application' means an application submitted under section 505(j) or 507 for the approval of a drug that relies on the approved application of another drug with the same active ingredient to establish safety and efficacy, and—

"(1) in the case of section 306, includes a supplement to such an application for a different or additional use of the drug but does not include a supplement to such an application for other than a different or additional use of the drug, and

"(2) in the case of sections 307 and 308, includes any supplement to such an application.

"(cc) The term 'knowingly' or 'knew' means that a person, with respect to information—

"(1) has actual knowledge of the information, or

"(2) acts in deliberate ignorance or reckless disregard of the truth or falsity of the information.

"(dd) For purposes of section 306, the term 'high managerial agent'—

"(1) means—

"(A) an officer or director of a corporation or an association,

"(B) a partner of a partnership, or

"(C) any employee or other agent of a corporation, association, or partnership, having duties such that the conduct of such officer, director, partner, employee, or agent may fairly be assumed to represent the policy of the corporation, association, or partnership, and

"(2) includes persons having management responsibility for—

"(A) submissions to the Food and Drug Administration regarding the development or approval of any drug product,

"(B) production, quality assurance, or quality control of any drug product, or

"(C) research and development of any drug product.

"(ee) For purposes of sections 306 and 307, the term 'drug product' means a drug subject to regulation under section 505, 507, 512, or 802 of this Act or under section 351 of the Public Health Service Act."

#### SEC. 7. EFFECT ON OTHER LAWS.

No amendment made by this Act shall preclude any other civil, criminal, or administrative remedy provided under Federal or State law, including any private right of action against any person for the same action subject to any action or civil penalty under an amendment made by this Act.

Amend the title so as to read: "An Act to authorize the Secretary of Health and Human Services to impose debarments and to take other action to ensure the integrity of abbreviated drug applications under the Federal Food, Drug, and Cosmetic Act, and for other purposes."

The SPEAKER pro tempore (Mr. NEAL of North Carolina). Pursuant to the rule, the gentleman from California [Mr. WAXMAN] will be recognized for 20 minutes, and the gentleman from Virginia [Mr. BLILEY] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. WAXMAN].

#### GENERAL LEAVE

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the

legislation presently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WAXMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill before us is authored by the chairman of the Committee on Energy and Commerce. It is cosponsored by every member of that committee and was adopted by this body on October 31, 1991, by a vote of 413 to 0.

The record supporting the bill was built by Mr. DINGELL's Subcommittee on Oversight and Investigations. The bill gives the Food and Drug Administration a variety of new authorities to deal with fraud and corruption that may occur in connection with abbreviated drug applications, which are the short-form applications that the law permits to be submitted to the FDA for generic drug products.

The Senate amendment expands the bill beyond the generic drug industry in one significant respect. It would give the Food and Drug Administration the authority to debar individuals who work for drug companies that sell patented drugs and who have breached the public trust. Where employees of drug companies have engaged in corrupt or fraudulent conduct, the Food and Drug Administration would for the first time have the authority to prohibit those individuals from working in both the generic and brandname segments of the drug industry.

Mr. Speaker, this bill is the result of a 2-year bipartisan effort. It is largely due to the leadership of Chairman DINGELL.

On a staff level, I would like to acknowledge the hard work of Mary McGrane, counsel for the committee's minority, David Keaney, counsel for the committee's majority, Reid Stuntz, staff director of the committee's Subcommittee on Oversight and Investigations, and David Meade, legislative counsel. They all made an enormous contribution to the effectiveness, fairness and readability of the bill.

Mr. BLILEY and I have agreed to a statement of explanation which I am inserting at this point.

#### STATEMENT OF EXPLANATION

The legislation does not limit any authority the agency has under current law to establish priorities in the review of applications to market products where the Food and Drug Administration has determined that there is a significant question with regard to the reliability of the data in such an application. The legislation also does not limit any authority the agency has under current law to deny approvals of products where a significant question with regard to the reliability of the data in an application has been raised, except as provided in the new section 306(f) of the Federal Food, Drug and Cosmetic Act, added by the bill. Section 306(f) would establish the procedures for temporary denial of approval of abbreviated drug

applications where such a question has been raised. Section 306(f) does not limit the agency's authority to issue a final decision under 505 or 507 denying approval of an abbreviated drug application.

Mr. Speaker, I reserve the balance of my time.

Mr. BLILEY. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, I rise in support of H.R. 2454, the Generic Drug Enforcement Act of 1992, as amended by the Senate. The Senate amendments represent an agreement that has been worked out by the House and the Senate.

This bill is a response to the generic drug scandal. For the better part of the last 3 years, the Subcommittee on Oversight and Investigations—on a bipartisan basis—has been conducting an investigation into the abuses in the generic drug industry. Unfortunately, the subcommittee found that large segments of the industry were riddled with corruption.

I think H.R. 2454 represents a fair and reasonable approach to ridding the generic drug industry of its bad actors and to restoring public confidence in the safety and efficacy of generic drugs. It provides the FDA with the authority to not accept or review applications for the approval of generic drugs if a company has been convicted of certain specified crimes that undermine the integrity of the drug approval process. The FDA would also be able to debar individuals convicted of such crimes from participating in the development of drug applications to be submitted to the FDA for both generic and brand name drugs.

In addition, the bill includes provisions granting FDA the authority to: Temporarily deny approvals of generic drug applications of a company under criminal investigation; impose civil money penalties for fraudulent conduct related to generic drug applications; and suspend approved generic drugs applications sponsored by companies which are under investigation and which have engaged in flagrant and repeated material violations of good manufacturing practices which may undermine the safety and efficacy of the drugs.

The Senate amendments make numerous technical and substantive improvements in the bill. In addition, at the request of the Department of Justice, the final agreement includes a provision allowing for early termination of a debarment period if such an action serves the interests of justice. This provision will provide both the FDA and the Department of Justice with the flexibility they need in their investigations and prosecutions in obtaining the necessary information and cooperation.

The Senate amendments also broaden the scope of the bill to include brand name drugs in several instances. In the first instance, when individuals em-

ployed by drug companies have been convicted of a felony relating to the regulation of any drug product, the FDA is required to bar such individuals from holding positions of any type in the drug industry. In the second instance, when individuals employed by drug companies in high level managerial positions of responsibility and trust are found to have worked with an individual who took actions resulting in a felony conviction and debarment and the agent knew of these actions and did not report them, FDA would have the authority to debar such individuals from working in the drug industry.

Mr. Speaker, I would also like to note my full agreement with the explanatory statement that Mr. WAXMAN has inserted in the RECORD.

Finally, I would like to express my appreciation to Mr. DINGELL, Mr. WAXMAN, and Mr. LENT and their staffs for all their efforts to develop and pass this important legislation. In particular, I would like to thank Bill Schultz, Reid Stuntz, and David Keaney of the majority staff and David Meade from the Office of Legislative Counsel for their very fine and hard work on this bill.

Mr. Speaker, the time has arrived to pass this legislation to give FDA the appropriate enforcement tools it needs to ensure that corrupt individuals and companies will not be able to continue to defraud the public. I urge my colleagues to join me in supporting this bill.

Mr. WAXMAN. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Michigan [Mr. DINGELL], the distinguished chairman of the Committee on Energy and Commerce.

Mr. DINGELL. Mr. Speaker, I thank my friend, the distinguished gentleman from California [Mr. WAXMAN], for yielding me this time. I want to pay tribute to him as the chairman of the subcommittee which processed this legislation, and pay particular tribute to my colleagues on the committee on both sides of the aisle who worked so long and so hard and so effectively with us on both the investigation which underlays the drafting of the legislation, but also the fairness and toughness and the decency with which he worked with me in a thoroughly bipartisan fashion.

I would also like to pay compliments to my good friend, the gentleman from New York, Mr. NORMAN LENT, the ranking minority member of the Committee on Energy and Commerce, and the other members of the subcommittee and the full committee who worked long and hard.

Our good friends and colleagues in the Senate, the gentleman from Utah [Mr. HATCH] and the gentleman from Massachusetts [Mr. KENNEDY], both have provided enormous leadership and



great cooperation in bringing this legislation to passage.

Mr. Speaker, the legislation was triggered by the discovery and the investigations which were conducted by the Subcommittee on Oversight and Investigations. It was a major scandal of the generic drug industry. It was astonishing in its breadth and depth. The payoffs to regulators, lies, and false filings were a regular part of business as usual in the generic industry. Criminal investigations triggered by the subcommittee, resulting from its inquiry, have resulted to date in convictions of 27 individuals and 8 companies. More will come.

I would note in addition to this that there has been significant peril at different times because of the slovenliness of the way in which the drugs were compounded and the approvals of the abbreviated new drug applications were corrected. The legislation is drafted to prevent those kinds of practices occurring again, and to see to it that there are adequate penalties for serious wrongdoing.

This business of the generic drugs, Mr. Speaker, is a gold mine. A company starting in a garage can in a couple of years have a \$100 million net worth simply by using generic drugs.

The incentives to wrongdoing are enormous. The committee found bribery of Food and Drug officials to prevent honest competitors from moving forward into production using the abbreviated new drug process. It found payoffs to expedite the interests of wrongdoers. It found virtually the entirety of the new drug section of the Food and Drug Administration were full of abusers of this particular process, and that there was significant and new innovation, not in drugs, but in the ways in which the law was circumvented and the testing process was corrupted.

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I would urge my colleagues to adopt this legislation. I believe it will go a long way toward preventing the kind of abuses which we have seen before and giving the American public a sense of satisfaction that the generic drugs which are properly made available, and in good part under the leadership of our good friend, the gentleman from California [Mr. WAXMAN], chairman of the subcommittee, are efficacious, but also to see to it that they understand that these drugs have to be made available under conditions where there is adequate safety for the user, and that savings can be made without a fear of threat to the health, the safety, the life or the well-being of the users of these prescription pharmaceuticals.

Again I thank my good friend for yielding me the time.

Mr. BILIRAKIS. Mr. Speaker, as one of the original cosponsors of the Generic Drug Enforcement Act, I rise in support of this legisla-

tion before us today as amended by the Senate. The legislation, in my judgment, indicates how little tolerance Congress has for fraud and abuse within private industry and Government agencies, especially when it could jeopardize public health.

When this bill was debated in the House Energy and Commerce Committee, I discussed the demographics of my congressional district. I represent a large number of older Americans and there are seniors who have concerns about the rising costs of prescription drugs. Lower priced generic drugs have given them, especially those with limited income, the opportunity to purchase their medication at lower prices.

Unfortunately, many, due to the reports of the highly publicized generic drug scandal, do not feel comfortable substituting generic drugs for more expensive brand-name products. The legislation before us today will hopefully restore their faith in the quality of generic drugs.

Mr. Speaker, I served as a member of the Oversight and Investigation Subcommittee when it launched its investigation on generic drug approval process. I have been a strong supporter of cleaning up this process and I believe this legislation is a step in the right direction. I am hopeful that this bill will be approved by Congress and signed into public law as expeditiously as possible.

Mr. BLILEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, I urge all Members to support this legislation.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. NEAL of North Carolina). The question is on the motion offered by the gentleman from California [Mr. WAXMAN] that the House suspend the rules and concur in the Senate amendments to H.R. 2454.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

#### COMMUNICATION FROM HON. WILLIAM L. CLAY, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Hon. WILLIAM L. CLAY, Member of Congress:

HOUSE OF REPRESENTATIVES,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you pursuant to Rule L (50) of the Rules of the House that I have been served with a subpoena issued by the Missouri Circuit Court.

After consultation with the General Counsel to the Clerk, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

WILLIAM L. CLAY.

#### COMMUNICATION FROM THE HON. PHIL SHARP, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Hon. PHIL SHARP, Member of Congress:

HOUSE OF REPRESENTATIVES,  
Washington, DC, April 22, 1992.

Hon. THOMAS S. FOLEY,  
Speaker, House of Representatives, U.S. Capitol Building, Washington, DC.

DEAR MR. SPEAKER: This is to notify you pursuant to Rule L (50) of the Rules of the House that I have been served with a subpoena duces tecum issued by the Blackford County Circuit Court in the State of Indiana. It requests that my office provide informational materials in a legal dispute between two local parties.

After consultation with the General Counsel to the Clerk, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

PHIL SHARP,  
Member of Congress.

#### COMMUNICATION FROM CHAIRMAN OF SUBCOMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND COMPETITIVENESS OF COMMITTEE ON ENERGY AND COMMERCE

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Subcommittee on Commerce, Consumer Protection, and Competitiveness of the Committee on Energy and Commerce:

HOUSE OF REPRESENTATIVES, COMMITTEE ON ENERGY AND COMMERCE, SUBCOMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND COMPETITIVENESS,

Washington, DC, April 6, 1992.

Hon. THOMAS S. FOLEY,  
Speaker of the House, U.S. Capitol, Washington, DC.

DEAR MR. SPEAKER: This is to notify you pursuant to Rule L (50) of the Rules of the House that the Subcommittee on Commerce, Consumer Protection, and Competitiveness of the Committee on Energy and Commerce has been served with a subpoena issued by the United States District Court for the Southern District of New York for testimony by a staff member. After consultation with the General Counsel to the Clerk, the attached letter was sent to the court, and the subpoena was withdrawn.

Sincerely,

CARDISS COLLINS,  
Chairwoman.

#### COMMUNICATION FROM ACTING CHAIRMAN OF COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

The SPEAKER pro tempore laid before the House the following communication from the acting chairman of the Committee on Standards of Official Conduct:

HOUSE OF REPRESENTATIVES, COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT,

Washington, DC, April 24, 1992.

Hon. THOMAS S. FOLEY,  
Speaker, House of Representatives, Washington,  
DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that the Committee on Standards of Official Conduct has been served with a subpoena issued by the United States District Court for the District of Columbia.

Sincerely,

MATTHEW F. MCHUGH,  
Acting Chairman.

#### COMMUNICATION FROM SERGEANT AT ARMS, U.S. HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following communication from Werner W. Brandt, Sergeant at Arms, U.S. House of Representatives:

OFFICE OF THE SERGEANT AT ARMS,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, April 24, 1992.

Hon. THOMAS S. FOLEY,  
Speaker, House of Representatives, Washington,  
DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that I have been served with a subpoena issued by the United States District Court for the District of Columbia.

Sincerely,

WERNER W. BRANDT,  
Sergeant at Arms.

#### MAKING THE S&L CROOKS PAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, once again the American taxpayer has become the victim of widespread Government mismanagement with respect to our banking system. A staff report issued last week by the Subcommittee on Financial Institutions revealed that the administration has failed to collect hundreds of millions of dollars of court-ordered restitution from convicted felons in financial institution fraud cases.

Courts order defendants to pay restitution in these cases to make the victimized institution or insurance fund whole. In 15 of the 19 cases highlighted in the subcommittee staff report, courts awarded more than \$42 million in restitution in financial institution fraud cases involving closed institutions. This money was either to be paid immediately at sentencing or soon thereafter and is now owed to the Federal Deposit Insurance Corporation [FDIC] or Resolution Trust Corporation [RTC].

Yet, the Justice Department, the FDIC, and the RTC have collected less than 1 percent of the \$42 million of the restitution ordered in these 15 cases even though this restitution was either due in full at the time of sentencing or has since become past due. Clearly, such a small percentage of restitution actually collected does not even begin to compensate for the damage that these crooks stole from the American taxpayer's pocketbook.

The Justice Department criticized the staff report on the grounds that only 19 of the 59

cases reviewed by the staff were discussed in the report. Indeed, the staff report is selective. Four of the 19 cases were selected to illustrate the point that judges hinder the restitution collection process by unnecessarily allowing convicted criminals years to pay their court-ordered restitution.

The remaining 15 cases were chosen primarily because the courts had ordered those defendants to pay their restitution immediately or shortly thereafter. In more than half of these cases, there was evidence that the defendants possessed significant assets either when they first fell under Government investigation or at the time of their sentencing.

The cases picked were ones in which the restitution is owed today, not 5 years from now. They were cases where there was some indication that defendants had assets to pay their restitution. The study didn't ask the Justice Department, the FDIC, and the RTC to get blood from stones; it asked whether they could get blood from a blood bank.

The Justice Department also argues that the 1-percent collection rate for the 15 cases documented in the report is misleading. Yet, a recent GAO report similarly concluded that the Justice Department has collected less than one-half of 1 percent of the almost \$80 million of court-ordered restitution in cases involving its "top 100 savings and loan referrals." In fact, both the FDIC and the Justice Department's own statistics indicate that only between 4 to 6 cents of each restitution dollar has been collected out of the hundreds of millions of dollars of restitution awarded since 1988. Contrary to the Justice Department's unsupported allegations, the subcommittee staff did not manipulate data. Instead, the report merely relied on the FDIC and Justice Department's own figures to show how little restitution has been actually collected.

It is unfortunate that the Justice Department's initial response to the report engages in personal attacks rather than addressing how the restitution collections process can be improved. If the Justice Department spent more time trying to collect this money from the S&L crooks and less time trying to defend its own record, perhaps it wouldn't need to try so hard to defend its record.

In a report to Congress last year, the Department of Justice stated it was making substantial progress in recovering fraudulently acquired assets. Although that report stated that courts had ordered these crooks to pay millions of dollars in fines and restitutions, the report was completely silent about the amounts of fines and restitutions actually collected in these cases. Although the Justice Department now apparently claims that it is proud of its restitution collection work, the Justice Department had not even reported to Congress the amount of restitution actually in financial institution fraud cases until well after the subcommittee began its investigation. Moreover, in previous conversations with subcommittee staff, Justice Department personnel repeatedly stated that Justice was not a collection agency.

Additionally, the Justice Department's characterization of the restitution owed by these criminals as alleged debt may provide some insight as to why there is such poor collections record. This is not alleged debt. It is money

that judges ordered S&L crooks to pay to the United States as part of their sentence. These defendants were ordered to pay this money to compensate for the criminal havoc they have wreaked on these closed financial institutions. There is nothing alleged about it.

As four cases in the report illustrate, the Justice Department may be correct in its contention that some of this restitution may not be presently collectable through the criminal justice system. Nonetheless, these criminal sentencing orders directing defendants to pay restitution can be used to file a civil suit and to obtain an immediately enforceable civil judgment against these crooks in relatively short order. Unfortunately, neither the FDIC nor the Justice Department appear to be using the criminal restitution orders in the civil justice system to enforce their legal rights to immediate payment.

Someone must be held accountable for this shameful record. According to the Crime Control Act of 1990, the Department of Justice, together with the FBI, the Department of Treasury, the OTS, the RTC, the FDIC, the OCC, the Federal Reserve Board, and NCUA, is supposed to coordinate the investigation and prosecution of financial institution fraud cases.

For the most part, these other Federal agencies rely on the Justice Department with respect to collecting restitution, because at the time of sentencing, the prosecuting attorney receives a copy of the confidential presentence report from the probation office. Significantly, this report lists all of the crook's reported assets and income from which restitution can be paid. Yet, the Justice Department says that its job is essentially over once a jury returns a guilty verdict because it is not a collection agency. But by law, the prosecuting attorney is the only individual from the executive branch who has access to this important information.

Let us not focus exclusively on the failures of the Justice Department. In this case, there is clearly blame to go around. It is difficult to understand why these other agencies would not take whatever steps necessary, either at the time of sentencing or beforehand, to assure that their interests are protected so that they may collect their court-ordered restitution. If an insurance fund or regulator is awarded \$1 million in restitution, there is a clear responsibility to collect as much of that money as possible and minimized the ultimate cost of the institution's failure to the taxpayer.

It has been estimated that fraud and insider abuse contributed to almost half of all recent S&L failures. In light of the billions of dollars that these failures will ultimately cost the American taxpayer, the administration must make the collection of restitution in financial institution fraud cases a much higher priority.

The American people are tired of footing the bill for these crooks' free lunch in the eighties, while in the nineties, these crooks may return home from prison to their mansions and yachts. After Congress has appropriated \$70 billion to rescue the bank insurance fund and more than \$100 billion for the RTC, less than 10 cents of each dollar of court-ordered restitution has been collected in financial institution fraud cases.

Unless we act now, law-abiding Americans will continue to unfairly foot the bill for these



crimes. Therefore, I plan to have the Subcommittee on Financial Institutions hold hearings on this matter later this spring in order to examine ways to improve the restitution collections process. After those hearings, it is my hope that Congress will consider legislation to improve collection of court-ordered restitution from S&L crooks.

Mr. Speaker, it is time for Congress to make sure that the Justice Department aggressively pursues the S&L crooks to pay back every penny they have stolen.

#### REMEMBRANCE OF THE ARMENIAN GENOCIDE APRIL 28, 1992

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. LEVINE] is recognized for 5 minutes.

Mr. LEVINE of California. Mr. Speaker, I want to add my voice to those remembering the Armenian genocide of 1915–23. The significance of remembering tragic historical events such as the Armenian genocide and the Jewish Holocaust cannot be understated. Those who forget the past are condemned to repeat it. This is not merely a clever turn of a phrase. It is a warning which we ignore at our own peril. The Armenian people embody this lesson as exemplified by Hitler's infamous statement, "Who remembers the Armenians."

It was this day in 1915 when the horror for the Armenian community began. Scores of Armenian religious, political, educational, and intellectual leaders were arrested in Constantinople and deported to Anatolia. Many were taken from their homes and murdered. Many more died during forced marches and other deportations. Over an 8-year period, there were over 1 million Armenian casualties. It is the memory of these people that we remember today.

While it is important to recall the past, it is also vital to look toward the future. The dismantling of the Soviet Union and the rebirth of an independent Armenia presents a unique opportunity to build strong relations between the United States and Armenia. Additionally, it presents an opportunity for the United States to exercise leadership in the Transcaucasus region. But the Bush administration has failed to seize this opportunity.

The lack of United States leadership in the region has been felt most in the Nagorno-Karabakh enclave. The situation on the ground in Nagorno-Karabakh is intolerable. The roughly 180,000 Armenians who live in the enclave are besieged and surrounded by well-supplied Azeri forces. The Azeri government's policy appears to be designed to change the demographic composition of Nagorno-Karabakh so that the Armenians are no longer in the majority, following the model of Nakhichevan. Armed violence, forced deportations, and severe deprivation due to a blockade of food, medical supplies, and fuel are some of the measures used by Azeri forces to enforce this policy.

The Government of Azerbaijan must immediately discontinue all military operations against Armenian population centers in Nagorno-Karabakh. Additionally, Azerbaijan must terminate its blockade of Armenia and Nagorno-Karabakh and respect the will of the

people of Nagorno-Karabakh, as reflected in the national referendum of December 10, 1991, by granting independence to Nagorno-Karabakh.

The Bush administration must reevaluate its current policy toward the Transcaucasus region. At this time and for the foreseeable future, Armenia and Nagorno-Karabakh will face great political risk due to their geography. They are landlocked and surrounded by countries which are either hostile, potentially hostile, or unstable. The United States has a vital interest in seeing that Armenia remain strong and secure.

#### HEALTH CARE CHOICE AND ACCESS IMPROVEMENT ACT OF 1992

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona [Mr. RHODES] is recognized for 60 minutes.

Mr. RHODES. Mr. Speaker, I want to take a few minutes today to highlight the importance of the Congress acting this year on health care reform and specifically about the reform initiatives contained in H.R. 4280, the Health Care Choice and Access Improvement Act of 1992, sponsored by me and by 12 of my colleagues. Let me say at the outset, Mr. Speaker, that, while I am the prime sponsor of the bill, I have been joined in this effort by the gentleman from Florida [Mr. GOSS], the gentleman from Illinois [Mr. HASTERT], and our very, very dedicated and hard-working staffs. We have worked on putting this bill together for about 1½ years and were able to introduce it here just about a month ago. Over the past two Congresses, we have been working to develop meaningful, responsible, and effective incremental reforms in America's health care delivery system. My guess is the Congress will debate into the next Congress the issue of comprehensive national health care reform and the issue of a federally run national health care system versus reform of our present system. While that debate may be worthwhile, I doubt we can reach a consensus anytime soon. What we can do soon is find solutions to specific health care problem areas.

During a series of four neighborhood health forums I conducted with constituents in my congressional district last week, it became even more clear that our constituents want changes, especially in affordable access to basic health care. But there remains no clear consensus as to how best to achieve that goal. While a search for a solution on a national level must continue in Congress and with the people of America, I am convinced we can and should take action now on an incremental basis to provide some meaningful relief for constituents in terms of health care costs and access to quality care for themselves and their families.

H.R. 4280 identifies several critical elements that can be implemented

now. Although America has the finest health care in the world, in a nutshell, two critical areas must be addressed. First, not all Americans have access to medical insurance to pay for health care. Second, the cost of health care continues to spiral out of control. This bill focuses on these crucial areas of concern and provides reforms that will make health care coverage more affordable and accessible. Furthermore, our proposals will not impose new financial burdens on States or businesses, nor impose new Federal taxes. Most importantly, every provision in our bill could begin to be implemented tomorrow, with immediate and positive results.

The Health Care Choice and Access Improvement Act of 1992 is designed to reform those areas of our health care system that need immediate attention. It has four sections—medisave accounts tax incentives; long-term care insurance incentives; medical malpractice tort reform; and small group insurance market reform.

Briefly, title I would allow employers and employees to contribute to tax deductible medical savings accounts. These accounts would be portable, tax-free, and would accrue to the employee over time. The employee's health insurance deductible would then be higher and routine medical expenses would be paid out of the medisave account.

Title II contains provisions to promote and expand the private long-term care insurance market so that individuals can better plan for their future. Accelerated death benefits, and a \$2,000 tax credit for in-home care of family members needing care would be of immediate help to those in need of long-term care.

Title III creates incentives for States to enact medical malpractice tort reform instead of Federal preemption of State tort law. H.R. 4280 outlines a set of tort reforms that States would need to institute in order to receive enhanced Medicare and Medicaid reimbursement. Responsibility is returned to the State medical boards and national data bank in order to ensure medical quality. Community health centers would be brought under the Federal Tort Claims Act, thereby clearing up \$50 million for additional services that are currently paid out in malpractice premiums.

Title IV reforms the small group insurance market to make health insurance affordable and accessible for the working uninsured and their dependents. This group represents a substantial portion of the 35 million Americans who have no health insurance coverage. The National Association of Insurance Commissioners [NAIC] would be requested to develop model benefit packages which insurers would be required to offer to small businesses between 3 to 50 employees. These basic benefit plans would be more affordable,

accessible, and dependable than current small market coverage.

All four sections of H.R. 4280 focus on areas of reform that have consensus in Congress and will be effective in making health care coverage more affordable and accessible. None of our proposals will impose new financial burdens on States or businesses, nor impose new Federal taxes. Most importantly, if passed, every provision in our bill could begin to be implemented almost immediately with positive results.

Let me now speak in greater detail about just two of the provisions of H.R. 4280—the medical savings accounts and small market reform provisions.

Title I of our bill would amend the Internal Revenue Code of 1986 to allow the establishment of medical savings accounts. Any amount of money deposited up to an applicable limit is tax deductible and funds withdrawn from the account are nontaxable if used for qualified medical services currently approved under the IRS Tax Code. The limit is determined by the number of dependents in the family.

An individual may establish a medical savings account if the person is not currently covered by an employer-provided group health plan or if covered only by an employer-provided group catastrophic health plan. Medical savings accounts are subject to other applicable rules and limitations similar to those imposed on individual retirement accounts. Employers would also be able to contribute to these medical savings accounts on behalf of their employees, as a part of their health insurance benefit plans. If employees were to withdraw moneys for nonmedical purposes, there would be a 10-percent penalty.

Mr. Speaker, this is a popular and innovative idea which deserves a chance to prove its effectiveness. Congress should not be in the position of constantly preventing and blocking innovation in the private sector, or in local government. We are not going to solve this health care morass alone and this provision will allow some prudent experimentation to take place.

Next, I want to discuss the small market reform provisions of H.R. 4280. In title IV, we begin by requesting the National Association of Insurance Commissioners to develop standards for what we call medequity plans. These standards would set forth the basis benefits to be included in the medequity plans. Standards will also be developed to require insurance carriers to offer these plans, and to require guaranteed issue. These no-frills medequity plans would include straightforward basic hospital, medical, and surgical benefits with cost containment features. Various State prohibitions against managed care are also prohibited, to promote effective use of health resources.

What have become costly State-mandated benefits would be prohibited and

carriers offering health benefits in a State would be required to offer the approved medequity plan to small employers—any business between 3 to 50 employees—in that State. An insurer would not be allowed to exclude small businesses or their employees based on preexisting conditions. Premium increases would be limited.

Under our initiative, an insurance carrier may not cancel a small employer other than for nonpayment of premiums, fraud, or failure to comply with plan provisions. If the insurer does terminate the offering of health benefit plans, the carrier would be prohibited from offering health insurance for 5 years.

The National Association of Insurance Commissioners would also be requested to develop models for reinsurance mechanisms. States would then be required to select a reinsurance mechanism from the models developed. If a State should fail to either certify a medequity plan for small employers or fail to select a reinsurance mechanism, then the Secretary of Health and Human Services is directed to make such a designation for the State.

Under our proposal, self-employed individuals would be allowed to deduct a full 100 percent of the cost of their insurance premiums. Current law allows only a 25-percent deduction. In addition, to promote the ability of small businesses to band together and form insurance purchasing groups, this bill defines a purchasing group as being administered solely under the authority and control of its member employers. These purchasing groups would be exempt from State-mandated benefits, State taxes on health insurance, and State laws prohibiting certain types of managed care.

Mr. Speaker, medical savings accounts and small market insurance reform are just two of the titles in H.R. 4280. In crafting this legislation, my colleagues and I looked for proposals that were innovative and promised to add to the private sector's ability to respond to the health care crisis. We also looked for ideas which have been widely discussed here as well as across the country in constituent forums such as I held in my district last week. They include the small market insurance reform, tort reform, and long-term health care coverage, all of which are contained in our legislation.

America desperately needs these reforms; tomorrow would not be soon enough. This American health care reform package addresses some of our most immediate problems in a very pragmatic fashion. I urge the Speaker and Republican leader to put our bill and others on the legislative agenda for this year. Let us debate these issues, adopt what we can, and fulfill the leadership responsibilities which the American people expect of us.

Ours are constructive, workable initiatives. I urge my colleagues to join

with us as cosponsors of H.R. 4280. It contains innovative ideas and solutions that offer help in the near-term. Please join us in pushing for responsible health care reform today.

□ 1250

Mr. Speaker, I yield now to the gentleman from Florida [Mr. Goss], who is an original cosponsor of this bill and who has worked with the gentleman from Illinois [Mr. HASTERT] and I, over the course of the last many months, in bringing us to the point where we could introduce H.R. 4280.

Mr. GOSS. Mr. Speaker, I thank the gentleman from Arizona for yielding.

Mr. Speaker, I am obviously pleased to have the opportunity to join the gentleman from Arizona [Mr. RHODES] and others in this very necessary discussion about H.R. 4280, the Health Care Choice and Access Improvement Act, and the real possibilities for reform that it represents.

□ 1300

Mr. RHODES has been absolutely tireless in his efforts and deserves a great deal of credit in moving this legislation forward.

So I am especially pleased to be here involved in this colloquy today. We have all acknowledged the fact that reform is urgent. It really cannot be postponed any longer. There are pressing economic reasons which are incontrovertible on that point. Doing nothing is not the answer. We need a solution. I would like to take a moment to illustrate the facts in rather dramatic fashion and the developments that have taken place in my home State of Florida.

I thank the gentleman from Arizona [Mr. RHODES] in his statement has very well outlined the provisions of H.R. 4280 and what is doable now. But why it is so important is that there are 50 States out there that are dealing with the problems on an individual basis. In Florida, in late January, the Governor proposed a health reform plan that was subsequently passed by the Florida House of Representatives on March 11—that was January to March—not one dissenting vote in the house in Florida. On March 13, 2 days later, it was passed by the Florida Senate 35 to 2.

It was signed by Governor Chiles on March 24, 1992, becoming Florida Statute No. 20.42. This is the action of a State in desperate need of change. That type of legislation dealing with a controversial issue like health care passing the State legislature in 2 months with that kind of support says there is a real problem.

In Florida, in fact, 18.9 percent of our population is uninsured. Seventy-five percent of the uninsured are workers and their dependents, and most of them—most of that number, I think about a third—are actually children.

In 1990 Florida spent about \$31.4 billion for health care. By the year 2000



expenditures are projected to go as high as \$90 billion. Florida families spend \$3,392, or 11 percent of their income, on health care. Those are statistics, those are not meaningful expositions of the suffering and the lack that some people are feeling. Statistics never do reflect the human misery that is often involved, and they do not in this case. But what they do reflect is that there is a serious problem out there which needs immediate attention, and it is not just a few, it is a great many people. The situation is not acceptable.

The Florida Legislature has spoken. The Florida Governor has spoken. Florida's new health plan, which is now law, embraces exactly the same goals we are trying to promote in H.R. 4280, accessibility and affordability. The reason the bill passed so easily in Florida is that, until 1995, the reforms are voluntary. In other words, what they have done in my State is say, "We have got 3 years before we get serious and enforce this. But in those 3 years you had better come up with something that works, you people who are players in the health care drama." The reason, I think, is that the State has recognized its commitment to reform but it wanted to leave up to the employers, business, people in small business and in large business, the insurance industry, and all of the other players in the health care system, the opportunity to do what is right and to do what works and what is affordable and provides the access that we are talking about and at the same time holding over the heads of the players the threat that a pay-or-play mandate is in the offing and the offing is only 3 years away, in 1995.

That is a serious stick to wave around to get these people's attention. I think the Federal Government has got to take the lead at this point, and that is why this year we should be dealing with the legislation that we have proposed.

The Florida health plan did receive overwhelming support in the Florida Legislature because it embraces the initiatives of individual responsibility and incentives for individual health promotion.

It does not say, "Don't worry about this, somebody is going to take care of you." It says, "Look, we are going to try to find programs, but as an individual you have some responsibility and some accountability, too." That is, after all, the American way.

Florida's legislation talks about medical liability reforms. My colleague, the gentleman from Arizona [Mr. RHODES] has alluded to the provisions in this bill on that point. It is extremely important. We are wasting literally billions of dollars in liability problems, in defensive medicine. Insurance reforms come under that heading, very definitely, and it does in the area of what I would call streamlining our health administration.

Mr. Speaker, we are wasting many, many billions of dollars in our paperwork, in our handling. Anybody who has ever filed a Medicare or a Medicaid claim knows exactly what we are talking about. Any doctor's office, any hospital that has had to work with these firms and the insurance company, understands the volume of paperwork involved. And sometimes, frankly, the catch-22's that you can never get out of.

There are all areas that are addressed in H.R. 4280, the Health Care Choice and Access Improvement Act, that we hope our colleagues are going to embrace and help us move.

Mr. Speaker, the States need the Federal Government to make the necessary changes in the Federal codes, and they need it now. The States are looking to the Federal Government for some leadership here. In fact, they say—the American public also say, "We do not want to wait any longer."

If we stall, we are faced with the pay or play. Pay or play is a very bad label. It is pay a lot or play in the sense you are not going to enjoy this play. It is not play, have fun play. Pay or play is not a good option. In fact, it will become an unbearable reality not only for Floridians if Florida does not clean up its act and come up with a program—and Florida, of course, is asking that we as the Federal Government do that first so that they can be consistent with what we are trying to do. And as I say, they are trying to do the very type of thing that H.R. 4280 proposes to do.

Mr. Speaker, as the gentleman from Arizona [Mr. RHODES] has outlined, the bill, H.R. 4280, can translate some of the waste and mismanagement of our current system into health care for millions of individuals. We are simply talking about making savings by doing things more efficiently and more properly and passing those savings on to the people who cannot afford health care now. Those savings become their vehicle to get the quality health care that many Americans enjoy because they do need insurance.

We must consider this, I suppose, a preliminary step because it does not solve all the problems, but H.R. 4280 does reform malpractice laws, which is a big-ticket item in terms of cost, which obviously has many defensive medical practices costs involved in it, not only the awards in court but the practices that doctors take and the medical profession undertake to protect themselves from suits.

H.R. 4280 introduces necessary controls and incentives into the small-business insurance group market, where they are very badly needed, and small groups talk to small business, and small business is very much involved, it is what the economy of our Nation is about.

It cuts administrative waste from large self-insured corporations by pro-

viding a new approach to them which involves individual participation, something that the gentleman from Arizona referred to, a medical savings account option, similar to an IRA. We are not reinventing the wheel here, we are taking something that works and applying it to an area where it fits a need.

Mr. Speaker, unlike other bills, we have done something in H.R. 4280 that helps a lot in places like Florida, and that is emphasis on long-term care by providing cost-effective options for today's elderly but also urging tomorrow's seniors to utilize long-term health care insurance, which we provide for.

There is really nothing controversial or drastic in what we have done here. It is certainly not going to change the face of our health care delivery system, but it certainly, also, can prevent the cost shifting that we all understand is going on, that is currently outpricing millions of our citizens from the health care they need.

We need relief, people are saying that they have a right to expect that relief, they are looking for us to do it, and I suspect that we have come forward in good faith with H.R. 4280, which is a step that is doable now. It should be palatable to both sides of the aisle. People are serious about this. The leadership on both sides is, as we know. I think we have done something worth looking at here. I recommend that we seize the day before we are faced with the solution of last resort, and that will be the unaffordable, and I emphasize the word unaffordable, single-payer system. So let us take the responsible approach by providing real and sustainable access to affordable health care. I think we have carved a way to do it. It is time to walk down the path, and I compliment my friend, the gentleman from Arizona [Mr. RHODES], for his initiative today and in arranging for this time and for his tireless efforts on bringing the legislation to this point. I urge my colleagues to pay attention to this and join with us. This is worth doing, it is doable.

Mr. RHODES. I thank the gentleman for his comments, which are very much to the point.

In conclusion, let me just say to my colleagues and to the American people, we are not advertising H.R. 4280 as a comprehensive solution to all the problems that exist in the health care system. We do not believe that we are ready yet for that. But if you as a Member of the House are planning to wait until there is a magic pill that comes along that cures everything, H.R. 4280 is not for you. But if you believe, as we do, there are steps that can be taken now to assist people who currently do not have access to our health care system, to obtain that access, if you agree with us that having 35 million people in this country uninsured is

not acceptable, especially when you consider that 70 percent of those 35 million are either employed or are dependents of persons who are employed, that that situation is not acceptable, if you agree with us that we cannot put the burden of resolving the health care accessibility issue on the backs of small businesses or on the backs of the taxpayers, then we think H.R. 4280 is for you.

□ 1310

Mr. Speaker, we invite our colleagues to take a good hard look at it, and we urge them to join us in cosponsoring it and urge them to join us in urging the leadership of the House to bring it forward in this year so that we can address this problem that we have ignored for too long now.

As I said before, the citizens of this country deserve nothing less.

#### SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. McCathran, one of his secretaries.

#### KISSINGER ASSOCIATES, SCOWCROFT, EAGLEBURGER, STOGA, IRAQ, AND BNL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 60 minutes.

Mr. GONZALEZ. Mr. Speaker, today I will talk about Henry Kissinger, his consulting firm Kissinger Associates, two former Kissinger Associates directors, Lawrence Eagleburger and Brent Scowcroft, and the chief economist at Kissinger Associates, Alan Stoga.

I will explore their links to Banca Nazionale del Lavoro [BNL] and Iraq, and the Bush administration's handling of the BNL scandal. But first, I will provide some background information on the BNL scandal.

#### BACKGROUND ON BNL SCANDAL

BNL is one of the largest banks in Italy with assets over \$100 billion. At the time the BNL scandal was disclosed in August 1989, BNL was 98 percent owned by the Italian Government. BNL has operations around the world including U.S. branches in Chicago, Los Angeles, Miami, Atlanta, and its U.S. headquarters in New York.

Several former employees of the Atlanta branch of BNL conspired to provide the Government of Iraq with over \$4 billion in unreported loans between 1985 and 1990. They accomplished this massive fraud by keeping a secret set of accounting records that concealed the over \$4 billion in loans to Iraq.

These secret books were presumably not furnished to BNL's management in Rome or to the bank regulatory agencies responsible for regulating BNL's

operations in the United States. To date, several of the former employees have pleaded guilty to the conspiracy and signing false financial statements. The former manager of BNL, Chris Drogoul, goes to trial on June 2. He claims that the BNL management in Rome was aware of the loans to Iraq and the United States and Italian Governments should have been aware of the loans.

The \$4 billion plus in BNL loans to Iraq between 1985 and 1990 were crucial to Iraqi efforts to feed its people and to build weapons of mass destruction. In addition, the BNL loans were crucial to Reagan and Bush administration efforts to assist Saddam Hussein.

The loans to Iraq were split just about evenly between agricultural and industrial loans. Iraq used a little over \$2 billion to purchase agricultural products and to pay for the shipping charges associated with the delivery of those products. Well over \$800 million of agriculture-related loans were guaranteed by the U.S. Department of Agriculture's [USDA's] Commodity Credit Corporation.

BNL was the largest participant in the Commodity Credit Corporation [CCC] program that Iraq used to purchase about \$5 billion in United States agricultural commodities between 1983 and 1990. Had the USDA ever inspected the publicly available financial statements of BNL, they would have most likely uncovered the scandal years earlier.

The remaining \$2 billion plus in BNL loans to Iraq went to Iraqi Government entities involved in running a secret Iraqi military technology procurement network. The procurement network, which operated through front companies situated in Europe and the United States, used the BNL loans to supply Iraqi missile, chemical, biological and nuclear weapons programs with industrial goods such as computer controlled machine tools, computers, scientific instruments, special alloy steel and aluminum, chemicals, and other industrial goods.

A number of the procurement network's imports from the United States were guaranteed by the Export-Import Bank. In fact, BNL was also a major participant in the Export-Import Bank program for Iraq. In total, the Eximbank program helped to finance the sale of over \$300 million in industrial goods to various Iraqi Government entities.

It is truly amazing that the BNL scandal went on as long as it did. Various agencies within our Government knew of BNL's role in bankrolling Iraq—yet they supposedly did not know that the loans were unauthorized or not properly reported. How is this possible? The committee is still investigating the extent to which the U.S. Government had knowledge of the BNL scandal.

Several of BNL's high level friends in the United States should have been aware of the BNL loans to Iraq. The high level patrons that I am referring to are Henry Kissinger, and his Kissinger Associates compadres, Brent Scowcroft and Lawrence Eagleburger.

Several Kissinger Associates clients had extensive dealings with Iraq including Volvo, Midland Bank, Chase Manhattan Bank, Fiat, and Asea Braun Boveri and those same companies also were the beneficiaries of BNL loans to Iraq or were involved in some way with BNL-Atlanta.

Kissinger, Scowcroft, and Eagleburger maintain that they were unaware of the BNL loans to Iraq. I offer no definitive proof that they were aware of the BNL loans, but I will explore in more detail their interlocking relationships with BNL and Iraq.

In addition, I will reveal that both Mr. Eagleburger and Mr. Scowcroft played a key role in the Bush administration's handling of the BNL scandal, even though BNL was a paying client of Kissinger Associates just months prior to the BNL scandal becoming public.

#### HENRY A. KISSINGER, BNL, AND IRAQ

Henry Kissinger is one of the best known and most powerful Presidential advisers of the post-World-War II era. He began his political career in 1956 as a consultant on military affairs. He has also advised many executive-branch organizations including the Joint Chiefs of Staff, the National Security Council, and the Department of State.

In 1969, he became President Nixon's National Security Adviser, and in 1973 Nixon named him Secretary of State. He held that post until 1977. In 1989, Mr. Kissinger was appointed as a member of the President's Foreign Intelligence Advisory Board [FIAB]. Members in this elite club are permitted access to highly classified information and members actually advise the President on intelligence issues.

Today, Mr. Kissinger is active as a foreign policy analyst and consultant through the firm that bears his name, Kissinger Associates, Inc. He founded the firm in 1982, and he has offices in New York and Washington. Kissinger Associates analyzes political risk and international economic trends to help clients make business decisions about operations in a foreign country.

#### KISSINGER DELIBERATELY MISLEADS PUBLIC

Until recently, Mr. Kissinger was a member of the BNL's international advisory board and during the height of the BNL-Atlanta scandal BNL was a paying client of Kissinger Associates.

While Henry Kissinger was a paid member of the BNL's advisory board for international policy between 1985 and June 1991, he received at least \$10,000 for attending each meeting of the BNL advisory board. Mr. Kissinger met each year with the president of BNL when the latter visited the United



States to attend the annual IMF conference in Washington, DC.

Other BNL advisory board members included David Rockefeller, the chairman of the Rockefeller Group and a director of Chase Manhattan Bank, Pierre Trudeau, the former Prime Minister of Canada, Lord Thornycroft, the former British Minister of Defense, and other politically well-connected international notables.

After my April 25, 1991, floor statement on Mr. Kissinger, he told the *Financial Times* newspaper that he had resigned from the BNL advisory board a week before the BNL indictment in February 1991 because "he did not want to answer questions about such incidents."

Two weeks ago, the prominent TV show, "60 Minutes," revealed that Kissinger had not resigned from the BNL advisory board in February 1991, as he had told the *Financial Times*. In fact, "60 Minutes" reported that Mr. Kissinger served on BNL's advisory board until his contract expired in the summer of 1991, more than 4 months after the date he had previously reported.

Mr. Kissinger was not the only Kissinger Associates employee that dealt with BNL. Mr. Brent Scowcroft, the vice chairman and Mr. Lawrence Eagleburger, the president of Kissinger Associates also had relationships with BNL.

#### IMPORTANCE OF THE BNL SCANDAL

Before detailing the relationship between BNL and Mr. Scowcroft and Mr. Eagleburger and the role they played in the handling of the BNL scandal, I will provide some background in order to put their actions into perspective.

As I have shown in previous floor statements, the BNL scandal was closely linked to the decline of the United States-Iraq relations. I have introduced numerous documents showing that the CCC program for Iraq was the cornerstone of United States-Iraq relations. In turn, BNL was the largest participant in the CCC program for Iraq.

When the BNL criminal investigation in Atlanta uncovered significant fraud and abuse in the CCC program for Iraq, it jeopardized the continuation of the CCC program and the cornerstone of United States-Iraq relations began to crack. The BNL investigation also revealed that high-level Iraqi Government officials were involved in the scandal, including the second most powerful man in Iraq, Saddam Hussein's son-in-law, Hussain Kamil.

To show the link between the BNL scandal and the CCC program, consider an October 13, 1989, State Department memo that states:

The unfolding BNL scandal is directly involved with the Iraqi CCC program and cannot be separated from it.

To illustrate of the serious problems uncovered by the BNL investigation and the scandal's potential influence on the CCC program for Iraq is con-

tained in an October 1989 State Department memo which states:

There are currently 10 separate investigations of BNL Atlanta branch activity to Iraq. It now appears that at a minimum, elements of the Government of Iraq knew of the illegal dealings of the BNL, but found it convenient to continue using its good offices. Indications are that in addition to violating U.S. banking laws, the BNL's activities with Iraq may have led to diversion of CCC guaranteed funds from commodity programs into military sales. \* \* \* The U.S. Department of Agriculture expectations are that the investigation could blow the roof off the CCC. If smoke indicates fire, we may be facing a four alarm blaze in the near future. \* \* \* there were 19 investigations of CCC this year (1989) and the integrity of the program is now in question.

The importance of the BNL scandal was not lost on Mr. Scowcroft or Mr. Eagleburger. I will now provide some details on their roles in handling the BNL scandal.

#### BRENT SCOWCROFT, BNL, AND IRAQ

One of the most prominent of the Kissinger Associates alumni is Brent Scowcroft, President Bush's current National Security Adviser and head of the NSC staff. Early in his military career, Scowcroft served 1 year as the air attaché at the United States Embassy in Belgrade, Yugoslavia. In total, Mr. Scowcroft has held various positions in six administrations.

After earning a Ph.D. and working in academia from 1962 to 1968, he held a succession of national security posts in the Department of Defense. In 1971, President Nixon appointed Scowcroft military aide to the President, and in 1973 Kissinger chose him to be Deputy Assistant to the President for National Security Affairs.

Scowcroft often took charge of the National Security Council while Kissinger was fulfilling his duties as Secretary of State, and in 1975 he succeeded Kissinger as National Security Adviser to President Ford. Although he resigned the position during the Carter administration, Scowcroft stayed active as a member of the President's general advisory committee on arms control.

In 1982, Scowcroft joined Kissinger in setting up Kissinger Associates. Scowcroft served as vice chairman and head of Kissinger Associate's Washington, DC, office until becoming the head of the National Security Council under President Bush in January 1989.

#### WHITE HOUSE AND SCOWCROFT-LED NSC ROLE IN BNL HANDLING

I will not show that President Bush's top advisers at the White House were directly involved in the handling of the BNL scandal. They intervened in late 1989 to make sure that Iraq received a \$1 billion allocation of CCC credits for fiscal year 1990 despite the findings of the BNL investigators in Atlanta.

The former Deputy Assistant to the President, and Director of Cabinet Affairs, Mr. Steve Danzansky was one of

President Bush's staff assigned responsibility for overseeing the late 1989 decision to provide Iraq with \$1 billion in CCC credits. Mr. Danzansky received regular updates on the BNL scandal as well as progress reports on the USDA's efforts to win approval for the CCC program for Iraq.

An October 30, 1989, USDA memo on the CCC program and the BNL scandal that was sent to Mr. Danzansky states:

"Please let me know if you \* \* \* have any questions on this, or if I can provide further information on the situation with Banca Nazionale del Lavoro."

But Mr. Danzansky's role went beyond monitoring the BNL scandal and the decision to grant Iraq additional CCC credits. A November 7, 1989, USDA General Counsel memo to Mr. Danzansky regarding the decision to grant the \$1 billion CCC program for Iraq states:

Steve, attached are possible materials for circulation by Treasury for tomorrow's NAC meeting. Thanks for your help on all this and please let me know if there are any additional materials I should prepare.

That comment shows that the USDA staff was taking orders from Mr. Danzansky and that Mr. Danzansky was assisting the USDA in winning approval for the fiscal year 1990 CCC program for Iraq. In addition, Mr. Danzansky personally attended the November 1989 NAC meeting that made the decision on the CCC program.

Several Administration officials have told the Banking Committee that this was the first time that a White House official sat in on a NAC decision to grant credits to a foreign country. That meeting also marked the first time in the history that the minutes of a NAC meeting were classified so as to restrict access to the public, and the Congress.

There are other CCC/BNL-related documents with Mr. Danzansky's name on them—but to truly understand their importance one must consider Mr. Danzansky's position. Mr. Danzansky was the Director of Cabinet Affairs—in other words he had direct access to the President and the various Cabinet members involved in making decisions on the CCC program for Iraq and on the handling of the BNL scandal.

Given Mr. Danzansky's role in the CCC decision and his job as adviser to President Bush and Director of Cabinet Affairs, it is clear that President Bush was directly involved in the decision to provide Iraq with a \$1 billion in CCC credits just months before the invasion of Kuwait.

#### MR. SCOWCROFT, BNL, AND THE CCC

While at Kissinger Associates, Mr. Scowcroft worked on the BNL account and met on numerous occasions with the BNL management. On three occasions between 1986 and 1989, Mr. Scowcroft briefed the BNL board on international political and economic developments. In addition, when the Presi-

dent of BNL traveled to the United States to attend the annual IMF conference, he met with Kissinger and Scowcroft in New York.

Just months after resigning from Kissinger Associates to join the Bush administration, Mr. Scowcroft was heavily involved in the handling of the BNL scandal including winning approval of the \$1 billion CCC program for Iraq in late 1989. Mr. Scowcroft was also directly involved in trying to win the release of the second \$500 million CCC installment for Iraq in March 1990.

#### NSC STAFF HEAVILY INVOLVED IN CCC DECISION

Under Mr. Scowcroft's direction, the NSC staff was heavily involved in winning approval of the \$1 billion CCC program for Iraq in late 1989 despite the implications of the BNL scandal. The NSC staff received regular briefings and memorandums from the USDA regarding the decision to grant Iraq additional credits.

The NSC was also directly involved in the decision to grant the CCC credits to Iraq. On April 2, 1990, USDA memo states:

During the fall of 1989, there was intense debate among the agencies regarding approval of Iraq's request for an FY 1990 CCC allocation of \$1 billion. The State Department and National Security Council supported a decision favorable to Iraq.

The NSC did not limit its activities to supporting the 1989 decision to grant credit to Iraq. The NSC was also directly involved in the USDA investigation of the BNL scandal.

#### NSC AND USDA STUDY OF BNL

In a highly unusual maneuver, the NSC had responsibility for reviewing and approving the release of the USDA administrative review of the BNL scandal and CCC program for Iraq in May 1990. The NSC staff even went as far as approving the date of the release of the USDA study.

Regarding the release of the USDA study in May 1990, Ms. Sandra Charles, the Director for Near East and South Asian Affairs at the NSC, sent a fax to the USDA's Richard Crowder, the man technically responsible for the CCC program for Iraq. Ms. Charles' handwritten notes on the memo state: "Dick, with this press release the NSC has no objection to your releasing the report. Suggest you coordinate with State [Department]."

The NSC's role in the USDA administrative review raises serious questions because the USDA review was an almost complete whitewash of the problems found during the BNL investigation. First, the scope of the USDA administrative review was severely restricted in order to downplay the importance of the BNL scandal and problems in the CCC program for Iraq.

For example, the press release and executive summary accompanying the report give the impression that the USDA conducted an exhaustive review of the CCC program for Iraq. In fact,

the vast majority of the USDA study is based on a review of the records of a single firm involved in the BNL scandal.

The most glaring example of the whitewash is related to the issue of whether or not CCC-guaranteed agricultural commodities destined for Iraq were diverted to pay for weapons. The conclusion in the USDA report is not even supported by the facts as listed in the report. The summary of the USDA report states:

The USDA administrative review uncovered no evidence to suggest that there has been diversion of commodities sold to Iraq. It appears, based on a review of sample records, that Iraq maintains records to establish proof of arrival for its CCC purchases.

In fact, a closer look at the USDA report shows that USDA investigators did not obtain records to verify that United States commodities had actually arrived in Iraq. Compare the findings of the report to an October 13, 1989, USDA memo which states.

Although additional research needs to be done, it appears more and more likely that CCC guaranteed funds and or commodities may have been diverted from Iraq to third parties in exchange for military hardware. Where documents indicate shipments arrived in Baghdad, the timing appears improbable, shipments arrived in Baghdad prior to arriving at interim ports. McElvain and the USDA IG are concerned that commodities were bartered in Jordan and Turkey for military hardware.

Ultimately, the USDA investigators, who had numerous contacts with the NS, took the word of the Iraqi Government that the CCC-guaranteed commodities had arrived in Iraq. In effect, the USDA report is very misleading as to the issue of whether or not CCC-guaranteed commodities were diverted—they certainly found no concrete evidence to indicate the goods actually arrived in Iraq.

Could it be that the NSC's involvement in the USDA study of BNL was meant to cover up an awareness that CCC-guaranteed commodities were being diverted to pay for Iraq weapons purchases? After all, the USDA study was deceiving as to the issue of diversion. We know that the administration conducted covert operations to assist Iraq. We also know that various memos indicate that diversion was a real possibility. And finally, the Iran-Contra affair provided proof positive that the NSC thought of itself as above the law.

Taken together, these factors raise serious questions about why the NSC was involved in the BNL investigation and whether or not they were aware of the diversion of U.S. commodities. These questions take on special importance in light of NSC Director Scowcroft's long affiliations with BNL.

#### SCOWCROFT GETS IN THE ACT

Not only was the NSC staff involved in the BNL/CCC investigation under Mr. Scowcroft's direction, Mr. Scowcroft himself pushed for the release of

the second \$500 million installment of CCC credits for Iraq that were delayed because of the BNL scandal.

A March 5, 1990, State Department memo related to the release of the second \$500 million CCC installment for Iraq states: "National Security Council staff [NSCS] contacted the USDA March 2 to inquire about the delay after the Iraqi Ambassador complained to General Scowcroft."

#### NSC AND WHITE HOUSE INVOLVED IN THWARTING INVESTIGATION OF IRAQIS?

I revealed in a March 30 floor statement that the United States attorney in Atlanta wanted to investigate the various Iraqis involved in the BNL scandal. I also revealed that the United States attorney was never allowed to interview the Iraqis because of the potential negative effect such an investigation could have on United States-Iraq relations.

Instead, the State Department decided that the United States attorney in Atlanta would have to write letters to the various Iraqis involved in the BNL fraud and ask them written questions about their criminal activities. The committee has documents showing that the NSC and White House both received memos related to the pen-pal investigative strategy and the committee is continuing to probe their role in developing that strategy.

Mr. Scowcroft was not the only Kissinger Associates client involved in handling the BNL scandal—the Deputy Secretary of State, Lawrence Eagleburger, also played a key role.

#### EAGLEBURGER, BNL, AND IRAQ

Lawrence Eagleburger, Deputy Secretary of State, has held many positions of international influence in both the public and private sectors. Eagleburger started his political career in 1957 as a Foreign Service officer. In this capacity, he represented the United States in Honduras for 2 years, and in Yugoslavia for 4 years.

When, in 1969, Henry Kissinger became Nixon's national security adviser, Mr. Eagleburger served as his executive assistant. After working as a political adviser to NATO in Belgium, and as Deputy Assistant Secretary in the Department of Defense, Eagleburger rejoined Kissinger at the State Department, again as his executive assistant in 1973.

Eagleburger was appointed Ambassador to Yugoslavia during the Carter administration and served in that capacity from 1977 to 1981. Under President Reagan, Eagleburger became Assistant Secretary of State for European Affairs, and held this position from 1981 to 1982. Subsequently, he served for 2 years as Deputy Undersecretary for Political Affairs.

Before assuming his current position as Deputy Secretary of State in 1989, Mr. Eagleburger, like Mr. Scowcroft, worked for Kissinger Associates, Inc. In fact, during this tenure, Mr.



Eagleburger was the president of Kissinger Associates.

BNL was a client of Kissinger Associates during Mr. Eagleburger's tenure. Mr. Kissinger has stated that Mr. Eagleburger did not handle the BNL account at Kissinger Associates. Renato Guadagnini, the former head of BNL's operations in the United States told committee investigators recently that Mr. Eagleburger was at a meeting between the BNL managers and Kissinger Associates in New York in 1987 or 1988.

While at the State Department, Mr. Eagleburger was fully aware of the link between BNL and the CCC program for Iraq and the importance of the BNL scandal. A State Department memo dated October 13, 1989, states: "The unfolding BNL scandal is directly involved with the Iraqi CCC program and cannot be separated from it."

Mr. Eagleburger's role in promoting United States-Iraq relations spans both his commissions at the State Department. During the early 1980's Mr. Eagleburger wrote letters promoting the use of the CCC and Eximbank as tools to provide United States financial assistance to Iraq. Starting in 1989 Deputy Secretary of State Eagleburger played a key role in winning approval of the \$1 billion CCC program for Iraq just months prior to the Iraqi invasion of Kuwait.

#### WINNING APPROVAL OF THE CCC PROGRAM FOR IRAQ

In order to win approval of the \$1 billion CCC program for Iraq for fiscal year 1990, Secretary Baker wrote a letter to the Secretary of Agriculture, Clayton Yeutter, and then called him personally to express his conviction that Iraq should be given the benefit of the doubt and granted the full \$1 billion CCC program for fiscal year 1990. The talking points for Mr. Baker's call to Mr. Yeutter state:

On foreign policy grounds, we support a program of up to \$1 billion, released in tranches, with periodic compliance reviews. With safeguards, I hope we can get this important program back on track quickly.

Convincing the Department of Agriculture to support the allocation of the full \$1 billion to Iraq was the least of the State Department's worries. The largest barrier was convincing the OMB and Treasury Department to drop their opposition to the \$1 billion program for Iraq. This assignment was left to Deputy Secretary of State, Lawrence Eagleburger.

The Treasury Department and OMB were opposed to the fiscal year 1990 CCC program for Iraq because of Iraq's precarious financial condition and the BNL scandal. The Treasury Department actually voted against the fiscal year 1989 program for Iraq because of creditworthiness concerns, but this did not stop Mr. Eagleburger.

Mr. Eagleburger sent letters to the highest levels of the OMB and Treasury

to win approval for the fiscal year 1990 CCC program. The first was a letter dated November 8, 1990, from Mr. Eagleburger to the Deputy Treasury Secretary, John Robson, which states:

Further to our discussion, on foreign policy grounds we support the Department of Agriculture's proposal for a full billion-dollar program of CCC export credit guarantees in FY 1990 with adequate safeguards, for Iraq. \*\*\* the CCC program is important to our efforts to improve and expand our relations with Iraq, as ordered by the President in NSC-26. With regard to the real concerns which arise from the investigation into the operations of the Atlanta branch of the Banca Nazionale del Lavoro, we have received from the Government of Iraq a pledge of cooperation.

He sent a similar letter to the OMB. Mr. Eagleburger's efforts were crucial to neutralizing OMB and Treasury opposition to the CCC program. After much lobbying and back scratching, in November 1989 the CCC program for Iraq was approved, but Mr. Eagleburger's involvement with the CCC program for Iraq and the BNL scandal did not stop.

The committee has documents showing that Mr. Eagleburger was involved in other aspects of the BNL scandal. For instance, Mr. Eagleburger provided the United States Embassy in Rome with guidance on how to handle press calls related to the BNL scandal. He also received two cables from the United States Embassy in Italy that contained interesting revelations.

The first indicated that top BNL managers approached the U.S. Ambassador to ask for damage control related to the handling of the BNL scandal in the United States. The second involved a meeting at the U.S. Embassy at which a BNL official voiced his displeasure at rumors that the Justice Department was about to indict BNL.

As a sidenote related to the Italians' request for damage control, I would like to say that United States law enforcement officials did not conduct a serious investigation of the role BNL's Rome management played in the over \$4 billion in loans to Iraq. I wonder if BNL's friends in the Bush administration had a role in the decision to exonerate BNL's management in Rome?

The most notorious Eagleburger involvement in the BNL prosecution was related to the investigation by the United States attorney in Atlanta of Iraqis involved in the BNL scandal. As I stated above and in previous floor statements sometime between the BNL raid in August 1989 and early 1990, it was decided that the Atlanta investigators would not be permitted to interview the Iraqis involved in the BNL scandal.

Instead, it was decided that the Atlanta investigators would be permitted to submit written questions to the State Department which in turn would send the questions to Iraq. This pen pal approach to the criminal investigation

effectively thwarted the investigation of the Iraqis responsible for the BNL scandal and was used as an excuse to delay the rest of the BNL indictment until it was more politically correct to reveal Iraqi involvement in the scandal.

To show the State Department involvement in the BNL case, consider a March 20, 1992, New York Times article containing excerpts of an interview with Robert L. Barr, the former U.S. attorney in Atlanta who was in charge of the BNL case until April 1990. Mr. Barr acknowledged that in the BNL case considerations of foreign policy had become intertwined with those of law enforcement and that the State Department was involved in thwarting the BNL investigation. The Times quoted Mr. Barr as saying: "The State Department had become involved early on and that the case became complex both legally and because of foreign policy concerns."

To illustrate Mr. Eagleburger's role in the State Department's involvement in the pen-pal investigation of the Iraqis involved in the BNL scandal, consider a February 9, 1990, cable from Mr. Eagleburger to April Glaspie in Baghdad. The cable provides a status report on the BNL investigation and the CCC program from Iraq. In the cable, Mr. Eagleburger refers to State Department's role in handling the questions for the Iraqis involved in the BNL scandal. Mr. Eagleburger states:

\*\*\* Legal has received a memorandum from the USDA General Counsel recommending a demarche to the Iraqis to request assurances that they will assist in the BNL investigation. If the Department of Justice (DOJ) or the Atlanta prosecutor have any specific questions they want to put to the Iraqis, we (the State Department) should convey these \*\*\*.

Apparently Mr. Eagleburger did not want the USDA or others back in Washington to get wind of the State Department's strategy. Later in that same memo to Ambassador Glaspie, Mr. Eagleburger states:

We have no problem with your sharing the above with the USDA attache at your discretion, but please ask that he be careful not to play it back to his colleagues here (in Washington, D.C.).

Mr. Eagleburger played a key role in winning approval of the CCC credits for Iraq and in the State Department's handling of the BNL case. Mr. Eagleburger did not recuse himself from the State Department handling of the scandal.

#### ALAN STOGA—KISSINGER ASSOCIATES

Another link between Kissinger Associates, BNL and Iraq is Alan Stoga. Alan Stoga is a former economist at First Chicago Bank and is currently a director of Kissinger Associates. Mr. Stoga is said to be an expert in country risk analysis and international finance. He has been interested in the Middle East for many years and has made extensive visits to the area.

Mr. Stoga worked as the chief economist of the international division at First Chicago Bank. The chairman of the First Chicago at that time was A. Robert Abboud, the chairman of the United States-Iraq Business forum and director of First City Bank, Houston, TX.

The former head of BNL's U.S. operations stated that he attended a 1987 meeting in New York with Mr. Stoga, the head of BNL's Rome headquarters, and Mr. Kissinger, Mr. Scowcroft, Mr. Eagleburger in 1987. The meeting was held to give BNL advice on doing business in several countries including India. Mr. Stoga and Mr. Scowcroft brought the BNL officers to lunch after the meeting.

Mr. Stoga was also a friend to the United States-Iraq Business Forum. He is a friend of Mr. Robert Abboud, the former chairman of the Business Forum. On November 14, 1989 Mr. Stoga was a panelist at a Business Forum function titled, "Third Annual Symposium on U.S. Commercial Economic and Strategic Interests in Iraq. Mr. Stoga gave advice on the economic aspects of financing trade and investment with Iraq.

Just months before that meeting, in June 1989, Mr. Stoga visited Iraq with Mr. Abboud and other members of the United States-Iraq Business Forum. The Forum members met with Saddam Hussein to discuss expanding commercial relations between the United States and Iraq.

Committee investigators interviewed Mr. Stoga about his role during the June 1989 trip to Iraq. Mr. Stoga stated that he went along on the trip to get to know the country better since he had never before been to Iraq. He stated that he did not go on the trip to discuss Iraq's debt problems.

To the contrary. In a "60 Minutes" interview that aired 2 weeks ago, the president of the United States-Iraq Business Forum, Marshal Wiley, stated that Mr. Stoga was in Iraq to advise Saddam Hussein on Iraq's debt problems and the feasibility of restructuring Iraq's debts. Mr. Stoga may also have misled the public about Kissinger Associates relationship with the BCCI organization.

#### BCCI AFFILIATE A CLIENT OF KISSINGER ASSOCIATES

BCCI was notorious for recruiting well connected former high-level government officials around the world in order to influence government policy and to gain protection from the law. They also tried to hire Kissinger Associates in the fall of 1989, when Mr. Stoga and BCCI's representatives met several times to discuss BCCI becoming a client of Kissinger Associates.

The day after BCCI-Tampa was indicted for money laundering in October, 1988, a high-level BCCI official wrote a letter to the president of BCCI which stated:

I received a call today from Mr. Stoga, who informed me that Dr. Kissinger recommends that a public relations offensive be made by us \*\*\* Kissinger Associates Inc. have indicated that they shall be happy to use their personal contacts with the firm and make the necessary recommendations.

In newspaper reports Mr. Stoga denied ever saying that Mr. Kissinger ever recommended a public relations offensive. He also stated that "Henry never met or talked with them [BCCI]." BCCI itself may not have become a client of Kissinger Associates, but it appears that BCCI's secretly owned affiliate, the National Bank of Georgia, which was purportedly owned by Saudi front man Ghaith Pharoan, was a client of Kissinger Associates.

In a New York Times interview Mr. Stoga is quoted as stating: "We were never employed by them (BCCI) and we are not in a habit of giving free advice."

The committee has obtained documents showing that the former president of the National Bank of Georgia, Mr. Roy Carlson, received a briefing from Mr. Kissinger. Mr. Carlson's expense report from July 1986 states, "Briefing Session Dr. Henry Kissinger."

As Mr. Stoga stated, Kissinger Associates does not give free advice. The National Bank of Georgia therefore must have been a client of Kissinger Associates. After all, Mr. Kissinger knew Ghaith Pharoan's father, an adviser to Saudi royal family, and he knew Ghaith Pharoan for many years.

This raises the question of whether or not Mr. Eagleburger or Mr. Scowcroft worked on the National Bank of Georgia account while they were at Kissinger Associates and whether or not they played any role in the postindictment prosecution of BCCI when they were back in the Government.

#### CONCLUSION

BNL was a client of Mr. Scowcroft's while he was the vice-chairman of Kissinger Associates. Mr. Scowcroft regularly provided advice to BNL's management and received hefty fees in return.

Mr. Scowcroft and his staff at the National Security Council, along with the State Department, masterminded the Bush administration's handling of the BNL scandal in order to mitigate the damage it would have caused to United States-Iraq relations. In the process they trampled on United States law enforcement efforts and repeatedly misled the Congress and the American public about the United States policy toward Iraq.

BNL was not Mr. Eagleburger's client at Kissinger Associates although he did meet with BNL's management for at least one briefing. But I did show in an April 25, 1991 and February 24, 1992 floor statements that several of Mr. Eagleburger's Yugoslavian-related business ventures, the LBS Bank and

the Yugo automobile, relied on BNL-Atlanta financing. Despite these ties Mr. Eagleburger did not recuse himself from the handling of the BNL case.

These revelations are not surprising—Mr. Scowcroft and Mr. Eagleburger refused to recuse themselves from the handling of the BNL scandal even though BNL was a client of Kissinger Associates just months earlier. Their actions provide a revealing example of the ethical atmosphere at the White House and the top levels of the State Department.

As for Mr. Kissinger, he misled the public about his relationship with BNL and about his firm's contact with Saddam Hussein. Mr. Stoga misled the Banking Committee about the reasons for his trip to Iraq in the summer of 1989 when he met with Saddam Hussein to discuss Iraq's debt problems.

Their ethical behavior is just as deplorable as Mr. Scowcroft's and Mr. Eagleburger's. Is anyone really surprised?

Ministers have come under obligations to great interests; and it can be presumed or alleged that their votes or speeches have been corrupt.—W. Churchill.

#### Articles referred to follow:

DEPARTMENT OF AGRICULTURE,  
OFFICE OF THE GENERAL COUNSEL,  
Washington, DC, October 30, 1989.

Hon. STEPHEN I. DANZANSKY,  
Deputy Assistant to the President and Director,  
Office of Cabinet Affairs,  
The White House, Washington, DC.

DEAR STEVE: Attached is a paper prepared by the Foreign Agricultural Service regarding the GSM credit guarantee program. The paper describes the process by which country credits and individual transaction guarantees are approved. It also discusses the situation with respect to the Iraqi credit.

As you know, Undersecretary Crowder is eager to resolve the new credit to be offered to Iraq quickly. Please let me know if you (or any other members of the group you assembled last week) have any questions on this, or if I can provide further information on the situation with the Banca Nazionale del Lavoro.

Best regards,

Sincerely,

ALAN CHARLES RAUL

#### USDA POSITION ON IRAQ

##### 1. BALANCING RISKS

USDA is currently evaluating its GSM-102/103 Export Credit Guarantee Programs for IRAQ for FY 1990. This evaluation involves prudent balancing of political and financial risks against marketing opportunities and benefits.

On the one hand, Iraq represents a very carefully nurtured \$1 billion market for U.S. agricultural exports. Failure to reach an agreement with Iraq on a GSM program for FY 1990 risks loss of that market and a number of potential spillover effects: alienation of key sectors of U.S. agriculture who have been participating in this GSM market; negative impact on the U.S. trade balance; economic hardship in several agricultural sectors; and impairment of the carefully measured political rapprochement which the United States has been developing with one of the richest and most influential Arab States.



On the other hand, Iraq's general creditworthiness appears to have deteriorated somewhat in the past several years. Although Iraq has continued to pay its U.S. debt, it has not met its payments to some other creditor nations. In addition, Iraq has recently come under scrutiny for possible involvement in the Banco Nazionale del Lavoro (BNL) affair in Atlanta, where there has apparently been a major case of bank fraud centering on unauthorized loans to Iraq by the Atlanta branch of BNL, estimated at \$1.7 billion, while the BNL investigation is in its early stages, there have been suggestions of possible impropriety with respect to BNL's GSM loan portfolio, which is approximately \$750 million.

Investigators from the Office of the Inspector General have been detailed to work with the United States Attorney in the BNL investigation. In the course of its recent negotiations with Iraq, USDA learned that there were numerous allegations of possible wrongdoing, potentially involving Iraq. Attorneys from the Office of General Counsel were sent to Atlanta to discuss the matter with the assistant U.S. Attorney in charge of the case, to meet with the OIG personnel involved in the investigation, and to review available bank records. Those attorneys report that, as of the current stage of the investigation, no hard evidence has yet been uncovered which indicates misuse of the GSM program or wrongdoing by Iraq. At this stage, the allegations of impropriety appear to derive from theories of possible misuse hypothesized because of evidence of apparent wrongdoing uncovered in non-CCC loan transactions. At this juncture, however, the evidence developed in the case appears to center largely on bank fraud, although the investigation is still at an early stage.

Under the circumstances, a prudent and measured approach must be developed. At the current time, there has been no evidence developed to support allegations that Iraq has engaged in misuse of GSM programs, and so clearly discontinuation of the Iraq program would not be warranted. At the same time, when serious allegations are being made in the BNL investigation, a "business as usual" approach seems unwise. USDA believes that the prudent approach is to offer a measured program, announcing a large enough credit line to permit Iraq to continue purchases over the near term, while making every effort to assure that there have indeed been no program abuses. Associated with this, USDA will accelerate its own efforts to ensure future program integrity through improved management and regulation, including the development of a system of program compliance review.

DEPARTMENT OF AGRICULTURE,  
OFFICE OF THE GENERAL COUNSEL,  
Washington, DC, October 31, 1989.

Facsimile Transmission for: Stephen I. Danzansky, Deputy Assistant to the President and Director, Office of Cabinet Affairs.

From: Alan Charles Raul, General Counsel.

DEAR STEVE: Attached is a press release issued by the Iraqi Embassy in Washington in which it indicates that "Iraq firmly abides by these agreements [with Banca Nazionale del Lavoro providing letters of credit guarantees for the companies having contracts with Iraqi establishments] and is desirous to honor its part of these agreements in accordance with international laws and conventions."

I thought you should be aware of this Iraqi assurance in connection with your review of

the matter. Please call me if you have any questions.

STATEMENT ISSUED BY THE IRAQI EMBASSY IN  
WASHINGTON, D.C.

Having heard the inaccuracies appeared in some news reports on irregularities concerning Letters of Credit issued for Iraqi firms by Banca Nazionale del Lavoro (BNL)—Atlanta Branch, the Embassy of Iraq issues the following statement:

In 1982 Iraq signed agreements with Banca Nazionale del Lavoro providing Letters of Credit guarantees for the companies having contracts with Iraqi establishments. Both contracting parties worked for the proper implementation of these agreements. Iraq, on its part, honored its obligations provided for by the agreement, i.e., prompt and exact payments.

However, the Embassy feels obliged to express astonishment at these unfounded reports including the account given by BNL officials who claimed that their Atlanta branch acted in violation of their bank policy and had no authorization to sign these agreements with Iraq.

The Embassy reiterates that Iraq is not involved in any way in the so-called irregularities. The agreements between Iraq and the BNL were lawful and the facilities provided for by these agreements were used for the implementation of development projects and the import of agriculture and food products and machinery of pure civil nature under contracts with well known Italian and US firms.

The Embassy believes that these reports are untrue and entirely detrimental to the interests of Iraq and Italian and US firms.

Furthermore, any BNL reluctance to implement these agreements would cause serious damage to these firms.

In the mean time, Iraq firmly abides by these agreements and is desirous to honor its part of these agreements in accordance with international laws and conventions. Iraq also expects the other party to do so.

DEPARTMENT OF AGRICULTURE,  
Washington, DC, November 7, 1989.

Memorandum for: Stephen I. Danzansky, Director, Office of Cabinet Affairs.  
From: Alan Charles Raul.

Subject: Iraq.

STEVE: Attached are possible materials for circulation by Treasury for tomorrow's NAC meeting.

Thanks for your help on all of this and please let me know if there are any additional materials I should prepare.

DEPARTMENT OF AGRICULTURE,  
OFFICE OF THE GENERAL COUNSEL,  
Washington, DC, May 16, 1990.

Memorandum for Richard T. McCormack, Under Secretary of State; Edward S.G. Dennis, Jr., Assistant Attorney General; Timothy Deal, Special Assistant to the President and Senior Director, International Economic Affairs National Security Council.

From: Richard T. Crowder, Under Secretary, International Affairs and Commodity Programs; Alan Charles Raul, General Counsel.

Subject: Report of Administrative Review of Iraq GSM Program.

Attached for your review and clearance is a draft report of USDA's administrative review of certain transactions in connection with the GSM program for Iraq. We intend to release this document to the House and Senate Agriculture Committees, and make it available to the public, together with an ex-

ecutive summary and a press release. We believe it is essential to get these facts and conclusions out to the public as soon as possible.

In essence, after interviewing Iraqi agriculture officials and certain U.S. exporters, and reviewing certain bank records, exporter records and Iraqi records, we have concluded that certain Iraq GSM transactions improperly included freight charges within the amounts that were registered with USDA. In addition, the evidence suggests that a number of exporters provided Iraq with "after sales services" in possible violation of the GSM regulations.

HOUSE OF REPRESENTATIVES,  
Washington, DC, August 1, 1991.

Dr. HENRY KISSINGER,  
Kissinger Associates, Inc.,  
New York, NY.

DEAR MR. KISSINGER: The Committee on Banking, Finance and Urban Affairs is investigating \$4 billion in unauthorized loans to Iraq made by the former employees of the Atlanta branch of Banca Nazionale del Lavoro (BNL). The Banking Committee would like to learn more about your personal knowledge of BNL loans to Iraq as well as that of your firm, Kissinger Associates. Accordingly, in your capacity as a former member of the BNL Consulting Board for International Policy, the Committee would appreciate your response to the following questions:

A. Related to BNL:

1. How long were you a director of BNL? In what capacity (i.e. political consultant, financial advisor, etc.) did you serve BNL?

2. Is BNL a current or former client of Kissinger Associates? If yes, during what time frame?

3. As former employees of Kissinger Associates, did Mr. Lawrence Eagleburger or Mr. Brent Scowcroft have any involvement with BNL? If yes, in what capacity?

4. Were you or any employees of Kissinger Associates aware of the unauthorized BNL-Atlanta loans to Iraq? If yes, please explain.

5. Did Kissinger Associates employee Mr. Alan Stoga, visit Iraq in 1989 as an official of Kissinger Associates? If yes, in what capacity?

B. Related to U.S.-Iraq commercial relations:

1. Did Kissinger Associates ever assist its clients with any aspect of the U.S. export control process, the Export-Import Bank, or the Commodity Credit Corporation as it applied to exports to Iraq?

2. As employees of Kissinger Associates, did Mr. Lawrence Eagleburger or Mr. Brent Scowcroft have any involvement with the export control process, the Export-Import Bank, or the Commodity Credit Corporation as it applied to commercial relations with Iraq? If yes, please explain.

3. Was the U.S.-Iraq Business Forum (previously the U.S.-Iraq Business Roundtable) ever a client of Kissinger Associates?

4. Were any members of the U.S.-Iraq Business Forum Kissinger Associates clients?

5. Is First City Bancorp., Houston, Texas, or its affiliates, a current or former client of Kissinger Associates?

6. To the best of your knowledge, have you, or has any current or former employee of Kissinger Associates ever met with Mr. Saddam Hussein or any other Iraqi government officials to discuss U.S.-Iraq commercial relations?

7. Are any of the following current or former employees of Kissinger Associates:

a. U.S.-Iraq Business Forum Chairman—Robert Abboud?

b. Amman Resources, Amman Jordan;  
c. Bank of Credit and Commercial International (BCCI);  
d. First American Bank of New York or its affiliates.

Thank you for time and cooperation. With best wishes.

Sincerely,

HENRY B. GONZALEZ,  
Chairman.

KISSINGER ASSOCIATES,  
New York, NY, August 30, 1991.

Mr. HENRY B. GONZALEZ,  
Chairman, Committee on Banking, Finance and Urban Affairs, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Your letter of August 1 raised a number of specific questions. Before responding to those, I would like to make two general points:

First, neither I nor any of my associates had any personal knowledge of loans to Iraq made by the Banca Nazionale del Lavoro (BNL) or any of its branches or subsidiaries;

Second, neither I nor Kissinger Associates, Inc. (KAI) have ever done any business in Iraq; nor has KAI ever done any business with or on behalf of any Iraqi entity government or private.

You asked twelve questions; my responses follow:

A. Related to BNL:

1. I was never a director of BNL. From 1985 to 1991, I served as a member of the bank's International Advisory Board, along with Raymond Barre (former Prime Minister of France), David Rockefeller (Chairman, Rockefeller Group), Pierre Trudeau (former Prime Minister of Canada), Lord Thorneycroft (former British Chancellor of the Exchequer and Minister of Defense), Lord Ezra (former Chairman of the British National Coal Board), Roberto de Oliveira Campos (Brazilian Senator), Silvio De Capitani (former Swiss Parliamentarian), Hans Merkle (Managing Partner, Robert Bosch Industrietreuehand), Enrique Fuentes Quintana (former Deputy President of Spain and Minister of Economic Affairs), Jean-Pierre Amory (Chairman, Petrofina S.A.), Horst Jannott (Chairman, Munchaner Rockversicherung-G.), Pierre Ledoux (Chairman, Banque National de Paris), William Takagaki (former Managing Director, Mitsubishi Rayon Co. Ltd.) and Ettore Lolli (Chairman, International Advisory Board, Banca Nazionale del Lavoro). The Board met once a year to discuss international economic and political developments, with each member contributing comments on current developments in his own country. It was not the function of the Board to analyze, discuss, or pass on BNL's specific business activities.

2. BNL was a general consulting client of Kissinger Associates from July 1986 to June 1988, during which time we provided the Bank's senior management with briefings on international political and economic developments. We were not involved in advising the Bank on any specific business activities and had no involvement in any BNL business with or in Iraq.

3. As Vice Chairman of Kissinger Associates, Brent Scowcroft participated in the three general consulting meetings which were held with members of the senior management of BNL between July 1986 and June 1988. These meetings dealt with international political and economic developments, not with specific business activities of the Bank. As previously reported to the Senate Foreign Relations Committee, the KAI clients with whom Lawrence

Eagleburger was involved did not include BNL.

4. Neither I nor my associates had any personal knowledge of BNL's loans to Iraq, authorized or unauthorized.

5. As Managing Director of Kissinger Associates, Alan Stoga visited Iraq in 1989 at the invitation of the U.S.-Iraq Business Forum to inform himself about conditions in that country.

B. Related to U.S.-Iraq commercial relations:

1. KAI represents no clients before U.S. Government agencies nor does it lobby any branch of the U.S. Government on behalf of clients. Therefore, Kissinger Associates did not assist its clients with any aspect of the U.S. export control process, the Export-Import Bank, or the Commodity Credit Corporation with respect to Iraq or any other country.

2. As indicated above, neither Kissinger Associates nor any of its employees had any involvement with these U.S. Government agencies.

3. Neither the U.S.-Iraq Business Forum nor its predecessor organization was ever a client of Kissinger Associates.

4. I do not know which, if any, clients of Kissinger Associates were members of the U.S.-Iraq Business Forum.

5. Neither First City Bancorp nor any of its affiliates have ever been clients of Kissinger Associates.

6. As indicated, Mr. Stoga participated in the U.S.-Iraq Business Forum's trip to Baghdad in 1989 during which U.S.-Iraq commercial relations were discussed by the group with Saddam Hussein and other Iraqi officials. Additionally, Mr. Stoga and other employees of Kissinger Associates met with Iraqi diplomats on social occasions. At these meetings the Iraqis often expressed their desire for improved commercial relations with the United States. However, no specific commercial projects were ever discussed. Nor, as I mentioned above, has Kissinger Associates ever done any business in Iraq.

7. Kissinger Associates has had no relationship with A. Robert Abboud or any of the organizations you mention.

Sincerely,

HENRY A. KISSINGER.

U.S. DEPARTMENT OF STATE,  
Washington, DC, November 8, 1989.

To: The Acting Secretary.

Subject: Letter to Treasury Deputy Secretary Robson on a CCC Program for Iraq.

In your conversation earlier today, Department of the Treasury Deputy Secretary John Robson asked that you send him a letter outlining the policy reasons for which State strongly backed USDA's proposal for a full, billion-dollar program of Commodity Credit Corporation (CCC) credit guarantees, with safeguards, for Iraq. Attached is a letter for your signature that outlines those policy considerations. It essentially follows the talking points provided for your telephone conversation with Mr. Robson.

Recommendation: That you sign the attached letter to Deputy Secretary Robson.

DEPARTMENT OF STATE,  
Washington, DC, November 8, 1989.

The Hon. JOHN E. ROBSON,

Deputy Secretary of the Treasury.

DEAR JOHN: Further to our discussion, on foreign policy grounds we support the Department of Agriculture's proposal for a full, billion-dollar program of Commodity Credit Corporation GSM-102 export credit guarantees in FY 90, with adequate safeguards, for Iraq.

In addition to the near-term benefits for agricultural sales, the CCC program is important to our efforts to improve and expand our relationship with Iraq, as ordered by the President in NSD-26. Iraq is a major power in a part of the world which is of vital importance to the United States. Our ability to influence Iraqi behavior in areas from Lebanon to the Middle East peace process to missile proliferation is enhanced by expanded trade. Also, to realize Iraq's enormous potential as a market for U.S. goods and services, we must not permit our displacement as a major trading partner.

With regard to the real concerns which arise from the investigation into the operations of the Atlanta branch of the Banco Nazionale de Lavoro, we have received from the Government of Iraq a pledge of cooperation. Our intention is to hold Iraq to this commitment and to work with the Department of Agriculture to ensure that the problems with the program in the past are fully resolved in a new program. The safeguards proposed by USDA, including disbursement of the CCC guarantees in tranches, buttress the program and merit our backing.

I appreciate your support in this connection.

Sincerely,

LAWRENCE S. EAGLEBURGER,  
Acting Secretary.

KISSINGER ASSOCIATES,  
New York, NY, October 7, 1988.

ABOL FAZL HELMY,  
Bank of Credit and Commerce,  
New York, NY.

DEAR ABOL: I enjoyed lunch yesterday and, even more, your suggestion that BCCI might be interested in developing a relationship with Kissinger Associates.

As you suggested, I am enclosing a brief explanation of our firm and biographical sketches of our principals. I am not sure the former really does us justice, but I am reluctant to be more specific, at least on paper, about the kinds of consulting projects we undertake for clients. The key point, of course, is that our consulting and transaction work are rooted in the firm's understanding of geopolitics and economics: a client should not ask us how to build a polyethylene plant, but should ask about what is likely to happen in the various countries where that plant might be sited.

I agree that a next step should be for me to meet your management in London or in New York. I am not scheduled to be in London (I was there two weeks ago) the rest of this year, but might be able to arrange a detour either on November 10 or November 18 (between those days I will be in Sweden, France, and Italy). Alternatively, I could fly over for a day in early December, although for expense and convenience reasons, I would prefer to tie London into another trip. Let me know your thoughts on this.

I look forward to hearing from you soon,

Best regards,

ALAN STOGA.

BANK OF CREDIT  
AND COMMERCE INTERNATIONAL,  
New York, October 13, 1988.

From: Abol Fazl Helmy.

To: Mr. Swalch Naqvi.

Further to our recent conversation in London, I met with Mr. Alan Stoga who is one of the 3 partners of Kissinger Associates, Inc. Subsequently, the developments in the United States took place. Judging by the high level of adverse publicity that is being generated by the media, it is imperative that a firm response be made.



I received a call today from Mr. Stoga who informed me that Dr. Kissinger recommends that a public relations offensive be made by us and in that context has suggested using Burson-Marsteller, a highly reputable public relations firm that successfully dealt with the 1st Chicago crises last year. Kissinger Associates, Inc. have indicated that they shall be happy to use their personal contacts with the firm and make the necessary recommendations. I shall, of course, not proceed in any way without explicit instructions from you.

While I am certain, we have our fair share of advisors and consultants, I thought it prudent to pass on the information considering the importance of its source.

Best Personal Regards.

BANK OF CREDIT  
AND COMMERCE INTERNATIONAL,  
New York, October 13, 1988.

From: Abol Fazl Helmy.  
To: Mr. Swalch Naqvi.

I am enclosing for your attention the relevant details on Kissinger Associates, Inc. as discussed.

I shall be meeting them tomorrow (October 14, 1988) to discuss further details. I shall keep you appropriately informed.

Best Regards.

BANK OF CREDIT  
AND COMMERCE INTERNATIONAL,  
New York, October 14, 1988.

From: Abol Fazl Helmy.  
To: Mr. Swalch Naqvi.

I just met with Mr. Alan Stoga, Dr. Kissinger's partner and discussed the relevant matters as per our phone conversation of yesterday.

I emphasized to Mr. Stoga that our conversation in getting our two respective organizations together have been going on for over a year and hence, have not been generated as result of the present circumstances.

I feel that a relationship could be established in the near future depending on how fast the present publicity ends.

I shall keep you duly informed of my next meeting with Dr. Kissinger himself which should be sometime next week.

Best personal regards.

BANK OF CREDIT  
AND COMMERCE INTERNATIONAL,  
New York, December 19, 1988.

From: Abol Fazl Helmy.  
To: Mr. Swalch Naqvi.

I am in communication with Mr. Alan Stoga, Partner of Kissinger Associates, Inc. Their response was they are interested in principal but would like to wait a bit longer. I will be meeting Mr. Stoga in the first week of January, 1989 and will be discussing the issue further. It would be of interest for you to know that Mr. Scowcroft is now the National Security Adviser Designate in the Bush Administration and another Partner of Kissinger Associates is being tapped for Assistant Secretary of State in the Bush Administration. I shall keep you informed of my next meeting. You may agree that this association with Kissinger Associates, Inc. needs time to be cultivated. I am working in that direction.

If there are any further instructions with respect to this matter, please call prior to my January meeting.

Best Regards.

BANK OF CREDIT  
AND COMMERCE INTERNATIONAL,  
New York, January 11, 1989.

From: Abol Fazl Helmy.

To: Mr. Swalch Naqvi.

I had a lunch meeting with the gentleman on January 5, 1989 and a follow up telephone conversation on January 10, 1989. It was established that it is in our best interests for both parties to continue with the conversations. As such, the door for an eventual relationship remains open.

They were far more knowledgeable of the details of our situation during this meeting and made certain "unofficial" general recommendations which I shall convey to you at our next meeting. I am meeting my contacts senior partner by the end of January with a view of discussing our overall worldwide activities.

Best Regards.

UNITED STATES-IRAQ BUSINESS FORUM, THIRD ANNUAL SYMPOSIUM ON UNITED STATES COMMERCIAL, ECONOMIC, AND STRATEGIC INTEREST IN IRAQ, TUESDAY, NOVEMBER 14, 1989

TOPIC: "FINANCING TRADE AND INVESTMENT WITH IRAQ"

Preliminary Program

Introductory Remarks, Marshall W. Wiley, President, United States-Iraq Business Forum.

Greetings and Commentary, His Excellency Dr. Mohamed Sadiq Al-Mashat, Ambassador of Iraq.

Panel One—"The United States and Post-War Iraq"

Sandra Charles, National Security Council Staff, The White House.

Michael H. Van Dusen, Staff Director, Subcommittee on Europe and the Middle East, House of Representatives Committee on Foreign Affairs.

Moderator: John R. Hayes, Middle East Public Affairs, Mobil Oil Corporation (Member of the U.S.-Iraq Business Forum).

Panel Two—"Economic Aspects of Financing Trade and Investment with Iraq"

Alan J. Stoga, International Economist, Kissinger Associates.

Vahan Zanyan, Oil Economist, Petroleum Finance Institute.

Moderator: Witold S. Suliminski, Servus Associates.

Panel Three—"Doing Business with Iraq"

Ray L. Hunt, Chairman of the Board, Hunt Oil Company (Member of the U.S.-Iraq Business Forum).

Donald N. DeMarino, Deputy Assistant Secretary of Commerce.

Moderator: William M. Arnold, First City Bancorporation of Texas (Member of the U.S.-Iraq Business Forum).

Luncheon Working Session

Presiding: A. Robert Abboud, Chairman of the Board and CEO, First City Bancorporation of Texas (Chairman of the Board, U.S.-Iraq Business Forum).

Address: Edward Cnehm, Deputy Assistant Secretary of State for Near Eastern and South Asian Affairs—"The Future of U.S.-Iraqi Relations."

Closing Remarks

Lucius D. Battle, President, The Middle East Institute.

PARTICIPANTS

Elias Aburdene, Fairbanks Management Corporation.

James H. Andrews, M.W. Kellogg Company.

Garabed Armenian, Westinghouse Electric Corporation.

William Arnold, First City Bancorporation, Texas.

Frederick Axelgard, Center for Strategic & Interntl. Studies.

Lucius D. Battle, Middle East Institute.

Erol Benjenk, Fentex International Corporation.

Hani N. Beyhum, Olayan Development Corporation.

Carolyn Brehm, General Motors Corporation.

Patrick A. Briggs, Bell Helicopter Textron, Inc.

David Chambers, U.S.-Iraq Business Forum.

Sandra Charles, National Security Council Staff.

Ronald C. Clegg, Bell Helicopter Textron, Inc.

George Coy, Office of Congressman Feighan.

Robert R. Copaken, Department of Energy.

Lynn Coprivira, Dantzler Lumber and Export Company.

Charles Delaplane, Department of Agriculture.

Donald N. DeMarino, Department of Commerce.

Luis Echeverria, Export-Import Bank of the U.S.

Majed Ellass, ARAMCO.

Bryan Estep, Luxor California Exports.

Ghaleb O. Faidi, National U.S.-Arab Chamber of Commerce.

Benedict F. FitzGerald, BDM International.

Michael Foster, Abu Dhabi International Bank.

Jay Ghazal, Office of Senator Pell.

Edward Gnehm, Department of State.

Harry Griffith, Brown & Root.

John Haldane, U.S.-Iraq Business Forum.

Thomas Harrold, Glan McCulloch Sherrill & Harrold.

John R. Hayes, Mobil Oil Corporation.

John M. Howland, American Rice, Inc.

Arthur H. Hughes, Department of State.

Ray L. Hunt, Hunt Oil Company.

Evalene Jaeger, General Motors.

Paul Jabber, Bankers Trust Company.

Les Janka, Neill and Company.

Ed Jesteadt, AT&T International.

K. Kachadurian, Ionics, Inc.

Riad Khayali, AT&T Network Systems.

James King, Glan McCulloch Sherrill & Harrold.

Mary King, U.S.-Iraq Business Forum.

Michael Kostiw, Texaco, Inc.

Diane Landau, AT&T Network Systems.

Alexander Lang, AT&T International.

John Lawrence, Neill and Company.

Lloyd R. Lawrence, Jr., Bob Lawrence and Associates.

William Leffeldt, General Electric Company.

Paul R. Lensch, Caterpillar, Inc.

John Lesting, Continental Grain Company.

Gerald P. Lewis, AT&T Network Systems.

Peter J. Little, Boeing Commercial Airplanes.

M.J. Lyons III, American Cast Iron Pipe Company.

Phebe Marr, National Defense University.

Terry Martin, Anodyne, Inc.

Lawrence McBride, Sneed McBride International.

Robert D. McFarren, Stone & Webster Engineering Corporation.

Robert M. McGee, Occidental International Corporation.

Michael A. Miller, Occidental International Corporation.

Rick Myers, Anodyne, Inc.

Khalid Mohammed, Embassy of Iraq.

L.T. Nierth, Jr., Texaco, Inc.  
 Robert M. McGee, Occidental International Corporation.  
 Thomas Nassif, Gulf Interstate International.  
 William T. O'Malley, Sikorsky Aircraft, United Technologies.  
 Charles K. Olson, Dearborn Financial, Inc.  
 Raad B. Omar, Embassy of Iraq.  
 Clarence Ornsby, Servaas, Incorporated.  
 Kristina L. Palmer, Middle East Institute.  
 Ark W. Pang, Ionics, Inc.  
 Andrew T. Parasiliti, Middle East Institute.  
 John N. Parker, Mobil Corporation.  
 Arthur Pilzer, Export-Import Bank of the U.S.  
 James A. Placke, Paul, Hastings, Janofsky & Walker.  
 Stephen Plopper, SerVass, Inc.  
 Suzanne Pond, Department of State.  
 Charles T. Prindeville, International Resources Trading Company.  
 Ali Qaragholi, Crescent Construction Company.  
 Yousif M. Abdul Rahman, Embassy of Iraq.  
 Muzhir Razoki, Embassy of Iraq.  
 Burke G. Reilly, Ford Motor Company.  
 Philip Remler, Department of State.  
 John E. Rhame, General Motors Corporation.  
 Marc Rose, Pepsi-Cola International.  
 Thomas E. Rowney, BDM International.  
 Thomas A. Sams, Department of Commerce.  
 Helmut L. Stark, General Motors Overseas Corporation.  
 Alan J. Stoga, Kissinger Associates.  
 Witold S. Suliminski, INTERCAP Investments, Inc.  
 S.A. Taubenblatt, Bechtel Group, Inc.  
 Michael Van Dusen, House Subcommittee on Europe and the Middle East.  
 Christopher Van Hollen, Middle East Institute.  
 Marshall Wiley, U.S.-Iraq Business Forum.  
 Guenther Wilhelm, Exxon Corporation.  
 William F. Williams, Bank of New York.  
 Vahan Zanoyan, Petroleum Finance Institute.

## □ 1400

### THE NATURE OF THE PROBLEMS FACING THE CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. WASHINGTON] is recognized for 60 minutes.

Mr. WASHINGTON. Mr. Speaker, I am happy to follow the distinguished gentleman from Texas [Mr. GONZALEZ].

As I sat and listened to his remarks, it seemed to me, and I recall, that the gentleman was a voice in the wilderness back before Watergate became public, and I would commend to my colleagues and the general public to listen carefully when the gentleman from Texas [Mr. GONZALEZ] gets upon an issues such as he has elucidated and addressed today. We may very well take heart with his remarks.

The purpose of my taking the well today, Mr. Speaker, is to address what I thought were, or I perceived to be, the nature of the problems facing the Congress and particularly the House of Representatives.

As the Members know and as the general public knows, for the past 2 weeks

Congress has been in a workbreak recess celebrating either Easter, Passover, Ramadan, or any other religious holiday that the people in the country see fit to celebrate.

I, like I suspect many Members, had a certain amount of dread about going back to my district during that period of time. This was, as you recall, at the very height of the criticism that the House was receiving with respect to the so-called bank scandal. Congress was held in very low esteem at the time, and I suspect that there were many Members like myself who did not look forward with great anticipation to returning to their districts and to the people who had elected them.

But I am happy to report, Mr. Speaker, that my 2-week visit back to Houston and to Texas, Austin, TX, where I formerly served in the State legislature, has renewed my faith and renewed my strength, and I return to this job with renewed dedication and vigor for the tasks ahead of us.

Because the people who elected me have had an opportunity to embrace me and to discuss not only the low esteem that the press often reports but the high esteem in which they hold me and other Members of Congress. They renewed my faith in and my strength in my meetings with over 3,000 people in my district. I held the pleasure to meet with the issues committee that regularly advises me, make up of a good cross section of the people from Houston, from all walks of life, and we had a 2-hour meeting. We had an opportunity to discuss issues that were then pending in Congress, issues which had been pending and voted on in Congress, and issues which were yet to be voted on in this session of Congress. That was a cross section of individuals from, as I say, all walks of life, some 40 to 50 in number.

We had a good, frank, open, honest discussion about where we were as a Nation and where we were as a people.

## □ 1410

And when I say people, I mean human beings.

Mr. Speaker, I had meetings with civic club groups while I was in Houston, TX. I had the opportunity to attend civic club meetings and to meet with various communities of interest in the 18th Congressional District that I am privileged, by them, and blessed by God, to have the opportunity to serve.

Mr. Speaker, I had the occasion to make public speeches to large audiences of individuals from different walks of life and different groups and public places while I was in Houston.

While I was in Houston, I had the privilege of being able, as a healthy person, to visit one of the public hospitals called Ben Taub Hospital in Houston. It refreshed my memory as to the length and breadth of the problems

that the people in our country face and suffer on a daily basis.

Every once in a while all of us need to visit a hospital to see how blessed we are, because it is easy to overlook places like hospitals where people from the youngest of children to the oldest of citizens of our society suffer on a daily basis, especially a public hospital.

Mr. Speaker, I had the opportunity, while I was in Houston, to visit several chambers of commerce, to meet with business leaders, working businessmen and women in our community. One group was called the Greater Houston Partnership, made up of individuals from a broad section of our community, from all walks of life, who have as their distinct charge and mission the betterment of the condition of life of the people in Houston, TX. And they bring to that the various business professions, law, medicine, what have you, to the task of making Houston a better place in which to live.

Mr. Speaker, I had the opportunity while I was in Houston for the Easter break, Passover, Ramadan break to meet with energy consortium of business people who are involved in and interested in the energy industry. I had the opportunity to meet with ministers, both Episcopalian as well as Baptist and Methodist ministers, while I was in Houston. I had the opportunity to meet with local elected officials, city council people, school board people, county commissioners, State representatives, State senators.

We had an election going on in Houston, fortunately, the Tuesday before Easter, Passover, Ramadan period that included a runoff election for various offices. I think those who love liberty and those who love democracy look upon, with particular splendor, any time that we have an election in which people participate because it seems to all of us who believe in a democracy and who believe in liberty that the quintessential manifestation of a democracy is not the President of the United States, it is the people who vote in an election. That is what makes us a democracy.

And I had an opportunity to visit with many local officials while I was in Houston, local elected officials as well as appointed officials, I might add.

In addition, Mr. Speaker and Members, I had the opportunity to visit with the local news media. I hosted two luncheons at my congressional office in which we had a good repertoire between local elected officials and local news media people and myself. We had a good back and forth about issues of concern to them in the community and issues that I saw facing the people by way of us here in the Congress.

Mr. Speaker, I had the opportunity as well to meet with the newly elected mayor of the city of Houston. He renewed and reinvigorated my faith in



the democratic process, with a small "d" democratic process, by which he was elected to serve all of the citizens of the city of Houston. I might add, in my judgment he serves them very well, only having been in office for a little less than 4 months now, and he has made quite a record of getting police officers out on the streets, reducing crime by 14 percent in the city of Houston in that short period.

Mr. Speaker, I had the opportunity to visit a multiservice center, paid for with Federal dollars. The Federal Government, before I came to Congress, and I took no credit for it, appropriated money to the city of Houston, which was used to build this multipurpose center, which is out in the community as are multipurpose centers throughout our Nation and cities, places that belong to the people, where the people can get together and discuss issues of importance to them, where the people in the various communities have the opportunity to interchange ideas, hold civic club meetings. It is a good meeting place for the exchange of ideas among people.

I had all of these opportunities, Mr. Speaker, to meet with these various individuals and organizations because I want to make it clear to the Members of this body that in over 3,000 encounters of the best kind with the people who elected me to the Congress, not once, not once were they concerned about the checks that were written. They know that that is a pig in a poke.

Mr. Speaker, they were concerned about what we are doing to make America a place that it ought to be. Members, I was told that Members should stop being afraid to face their constituents. I was told by my constituents, the message that I received, Mr. Speaker, was that we need to stop playing politics, to stop making politics a game. Politics is not the game of who gets to be king of the mountain; politics should be the means by which the people of this country express themselves in electing their leaders and in seeing the fruits of their labor, that is, the election of their leaders, returned to them in kind in the goods and services that the Government, at whatever level, is able to afford its citizens.

Mr. Speaker, John Kennedy said, and I quote:

From those to whom much is given much is required, and when at some future date the high court of history sits in judgment on each of us—

That is, those of us who are elected officials—

recording whether in our brief span of service we fulfilled our responsibilities to the state, our success or failure in whatever office we hold will be measured by the answer to four questions. First, were we truly men and women of courage? Second, were we truly men and women of judgment? Third, were we truly men and women of integrity? And finally, were we truly men and women of dedication?

Now, I believe those words are as true now as they were when John Fitzgerald Kennedy uttered those words. The people care about this country, and they care about the leaders that they have elected to lead this country.

Mr. Speaker, much has been said to every person who holds public office. It is not a right; it is a privilege to hold public office in a country such as the United States of America. It is the high office of privilege to be elected alderman or sheriff or to hold any public office where the people give the most precious gift that they can give in a democracy, the most precious gift in a democracy, a vote of the people, an affirmation of the views of the individuals collectively to represent them in the body politic, whether that be the Congress of the United States or the city council or the county commissioner or whatever level the form of government. They are all the same, they all belong to the people.

John Kennedy said, and I repeat, that, When we are judged as to whether we have fulfilled our responsibilities, our success or failure is not in whether we bring dollars back to our districts, whether we appropriate money or bring the bacon home. The thing that occurs to me as I talk to people in my district, they say, "We want the NASA program down here, Craig, and we want the super conductor, supercollider." I ask them, "Who is going to pay for it?" Well, that is the problem: If every Member of Congress is expected to drag the sack back to their districts, and take home bacon, so to speak, but no Member of Congress ever votes for the funds to pay for that, then no wonder we are in debt. No wonder this country is in debt, because too many political leaders have not the courage to stand up and to say, "I will bring those things to our districts if we are willing to pay for them." Too many political leaders do not have the judgment to say, "Well, maybe this is a good thing, but what is best for America?" Not "what is best for my district?"

We happen to be elected from a district, but we also happen to be U.S. Representatives in Congress, not just from Georgia, not just from Texas, not just from New York, but looking out for the people in the country as a whole.

I firmly believe that there is nothing magic about the lines that are drawn around an imaginary district from which each of us happen to be elected. I do not presume or pretend to represent the views of the one-half million people who live within the 10th Congressional District. But this is a democracy.

Whenever my views are not in concert with the majority of the people of the 18th Congressional District, they have the right to take that job back. I am not afraid to tell them how I stand or how I think about an issue, because

the job does not belong to me. It is not mine by inheritance. I was not given this job because I was born to it. I earned this job with the respect and admiration of the people when I stood for election.

But neither am I afraid of them, because they have the right to take their job back every 2 years. They have term limitations; every 2 years the people in my district can look at the record of what I voted for and what I voted against, what I have stood for and what I have stood against, and they have the right, when my name is on the ballot, to vote for the other guy. And I want them to vote for the other guy whenever they do not agree with me, I want them to vote for the person who is running against me, and I have the courage to say that. I do not want to die being a Member of the U.S. Congress. I do not even want to represent the 18th Congressional District unless I represent a majority of the views of a majority of the people who live in that district.

□ 1420

Mr. Speaker, every Member of Congress ought to think that way. I am sure that most of them do.

I met with 3,000 people in my district who did not ask me any questions about what Members had been hiding from, dreading going home about, and that is the so-called check scandal. It is a tempest in a teapot. It was a tempest in a teapot from the beginning because, while the papers were putting day after day on the front page of the paper the fact that there was this minuscule amount of money that was borrowed from one Member and another, they did not have the time, nor the audacity, to write that during that same period of time we passed a \$1.5 trillion budget. This was during the same period of time when the front page of every newspaper from coast to coast, from New York to Los Angeles, played up the so-called check scandal. The sink was being taken away. They were taking a crowbar and dismantling the very fiber of this country because we passed a budget which requires for the next 5 years this country to spend \$400 billion on a war that does not exist; \$400 billion defending Germany from Russia, \$400 billion defending Japan from China, while at the same time we here, we the Congress, not with my vote, but by a majority of the Members of the Congress, give most-favored-nation status to China. Now this is the enemy we are defending Japan from.

Mr. Speaker, something does not make sense to me. We must be men and women of courage. Courage includes the ability to stand up and tell the people of America what is right with America, what is wrong with America, and what we ought to be doing better and what we are doing wrong, and, in my judgment, my courage requires me

to tell you, Mr. Speaker, and the other Members of this body that \$400 billion is being wasted and poured down a rat hole when we have a standing army in Germany, when we have people over there who are teachers, people over there who are doctors, people over there who are lawyers that ought to be working in rural America and urban America, where we have too few doctors, too few lawyers, too few nurses and too few schoolteachers.

Why are we defending the rest of the world from communism that does not exist anymore? Have we not heard that the Berlin Wall has fallen? Have we not heard that the members of the Warsaw Pact want to join NATO? So, we spend \$150 billion a year defending NATO from the Warsaw Pact countries, and they want to join NATO.

Where is that \$150 billion best spent? I think we should have the courage, and the judgment, and the integrity and the dedication, as John Kennedy said, to spend it on reforming our education system. For every four children who start the first grade in this country, one drops out by the 8th grade, and of the three who graduate from the 12th grade, only two have any marketable skills similar to those that could be equated with a high school education. One of three has been pushed out of school; they are marching year after year without getting past the eighth grade, without the functional equivalent of a high school education. We need to reform our education. I think that local communities, Governors of States, school boards and even the Congress could find ways to spend part of that \$400 billion.

Mr. Speaker, \$1 billion is \$1,000 million. We are spending 400 times \$1,000 million defending Germany and Japan from an enemy that does not exist so that Lockheed can continue to build airplanes and McDonnell Douglas can continue to build airplanes, and I do not care if they are in Texas. I do not care if they have the plants located in Texas. If we have the technology, and the ingenuity, and the education to be able to make bombs that will go down a hole in Iraq that is 1 foot in diameter, why can we not make the next generation of color television and VCR's? Why do we have to continue to buy these things from Germany and Japan? Why do we have to focus all of our industrial might on making guns and ammunition? Because they do not want to make the conversion that the President talked about.

While I was home on recess, Mr. Speaker, I heard President Bush talk about reforming the welfare state, and I stood up and applauded. We need to reform the welfare state, but we need to reform all of the welfare state. It is just as much welfare to give a farmer money for not planting a crop as it is to give a poor mother money to feed her children. Both of them are welfare.

So, if we are going to reform part of the welfare system, Mr. Speaker and Members—see, in the House we are not allowed, under the rules, to address the President directly, so I will address my remarks to the Speaker of the House, which is appropriate, and hope that the television down at the White House is on and that somebody has put a tape in so that sometime in the future the President will be able to listen to these remarks, and I hope that he will heed them. It seems to me that, if we are going to reform, Mr. Speaker, the welfare state, and I am for that; I am for stopping welfare mothers from being on welfare for two and three generations because it hurts them, and it hurt our country—but let us not fool the American people.

Mr. Speaker, there is no difference between welfare and subsidy except one sounds nicer than the other. When we pay milk producers money to not sell their milk, that is welfare. When we pay a farmer money not to plant a crop, that is welfare. When we pay McDonnell Douglas money to build a new airplane so that they can sell it back to us, that is welfare. When we send money to Israel so they can buy more planes from us; not from us, the Government, but from us, our friends who own the big companies, not my friends, but the President's friends—Mr. Speaker, I was not speaking to the President. I was speaking about the President, Mr. Speaker, but that is welfare. That is welfare when we give Israel a check to come over here so they can buy more bombs and planes so they can knock more Palestinians out of the sky. Then we will turn around and give F-15E fighters to Saudi Arabia so that they will have the latest technology, so that each side continues to be king of the downing around.

So, we spend our money to do that while our children cannot get an education, while there are more black men in prison than there are in college. It costs \$40,000 a year to house 1 inmate in prison. It does not cost that much to go to Harvard University.

Where are our priorities? We could better spend \$400 billion on an education system, it could be better spent on eradicating the demand for illegal drugs in this country.

Mr. Speaker, we are spending a lot of money trying to stop the importation of drugs from Central America, and where we should be. I have been down to the Andean Mountains. I know the problems of the farmers down there. First of all, cocaine is perfectly legal to grow in Central America. We need to make them do something about that. I do not think we can impose our will on them to change their law, but when they have something that is legal to grow in Central America, and they have no substitution for another crop, it seems to me that that creates an awful demand when that which is legal

to grow is worth so much, at least ostensibly in this country, and therein lies part of the problem. But our problem is we need to, Mr. Speaker, in my judgment, eradicate the demand for drugs on this end.

First of all, those drug dealers in Bolivia, and Peru, and Venezuela, and all those countries down there do not send the drugs up here on consignment. It is not like an automobile that comes off the assembly line in Detroit where the car is produced, is placed on a train or a truck, is shipped to some part of the country. The car is unloaded. The car dealer takes the car. He or she sells the car, and then they write out a check. Almost 90 percent of the money goes back to the manufacturer of the car; 10 percent of the money stays for the dealer.

It does not work like that in drugs. When they send the drugs up here, they have their money in advance, so, if we could stop the money from going down there, they are not going to send the drugs up here on credit. We ought to spend some time doing that.

We ought to lock up the bankers it seems to me. If we are going to work on demand, we have got to lock up the bankers. There is no difference between some kid standing on the corner selling drugs so that he can buy a BMW and wear a Mr. T starter kit around his neck than it is between the drug dealer who happens to be a banker, who sits on the 50th floor in a \$1,000 or a \$2,000 suit, in a pair of \$500 or \$1,000 alligator shoes looking down on how the poor people are living.

□ 1430

But this is the person who puts the money in circulation. The U.S. Government prints all of this money. You cannot walk up there and cash a check at the Federal Reserve for any amount of money. The money that is printed by the Bureau of Engraving and Printing is turned over to Federal Reserve Banks. Federal Reserve Banks send the money to banking institutions, either credit unions, banks, or savings and loans institutions. Ordinary citizens cannot walk up there and get a nice big stack of \$1 bills or \$10 bills or \$1,000 bills or whatever you are able to buy. You cannot go up there and get them.

So when you read in the paper every once in awhile about the DEA being successful and catching somebody with a truckload of dollars that are still in bank wrappers, you have to ask yourself, "Self, how did these people, this drug dealer, come into possession of \$100 bills that are still in sequential serial numbers?"

A bank is the answer. Somebody at the bank put that money in circulation.

There is a lot of money to be made there. If you steal from the drug dealer, who is going to tell? Nobody. He cannot tell anybody.



If we are going to do something about drugs in this country, cut down on the demands for drugs, we ought to make the penalty as high for the drug dealer who puts the money in circulation as we do for the drug dealer who puts the drug in circulation, because there is no difference. The Andean drug dealer does not sell drugs on credit. So if we stop money from going down there, we stop drugs from coming up here.

I would bet you with \$400 billion, or part of it, Mr. Speaker, we could stop a lot of drugs from coming up from down there.

What else could we do with this so-called peace dividend that the Congress wants to spend? First of all, we could reduce the deficit. We could do away with the deficit between now and the year 2000, except for those things that are not even considered to be part of the deficit anyway, like the savings and loan bailout.

The savings and loan scandal, whenever you hear the word "deficit" mentioned, remember, every Member of Congress, unless he or she specifically says so, is not talking about the trillions of dollars that we are spending and will spend in the future to bail out the savings and loan fiasco. That is not even included as part of the trillion dollar deficit that you hear Members of Congress talking about. We can pay some of that down with the peace dividend when we bring our troops home.

We can also reduce crime in our communities with \$400 billion. We ought to spend the money on law enforcement. We ought to beef up law enforcement in our communities.

The mayor of the city of Houston has demonstrated that. The mayor of the city of Houston took office in January. I believe he was sworn in on January 2 or 3 or something like that, one of those first few days in January.

Mr. Speaker, January has 31 days. February had 29 days this year because it was a leap year. March every year has 31 days. Now we are down to 28 days in April.

As of April 1, for the first quarter of the year, crime was down 14 percent in the city of Houston because the new mayor had the courage and the judgment and the integrity and the dedication to take police officers from behind desks typing on typewriters and put them on the streets of Houston where they belong. He put civilians in those jobs answering the telephones.

I am not trying to denigrate the importance of those jobs, but police officers go to an academy to learn how to fight crime. Our mayor put them on the street where we as citizens want them, fighting crime.

We can do more of that, from Los Angeles, to New York, to Atlanta, to Miami, to Seattle, WA, to Chicago, and all points in between, with \$400 billion.

We can rebuild our cities. There is not a city in America, not a major

city, that is not undergoing urban blight and urban decay.

After World War II we had a Marshall plan. The United States of America had a wonderful manifest destiny for the people of Europe. We rebuilt Europe. We called it the Marshall plan.

You look at any city from this city where we sit right now and tell me the difference between being burned out by urban blight and decay and being bombed out, and there is no difference. Infrastructurewise, there is no difference. We could rebuild our cities and our highways with part of this \$400 billion.

Mr. Speaker, we could provide health care for all of our people. AIDS has now become more than a gay disease to most people. I knew that 10 years ago.

I once had a bill in the Texas Senate when I was a member that addressed the question of AIDS. Usually when people have opposition to an issue that you bring in the Texas Senate they will rapidly engage you in debate and we will engage in dialog back and forth.

What I find pervasive about that occasion as I recall it was the silence, the silence of my colleagues who did not even have the courage to debate the issue of AIDS because it was thought to be a gay disease.

Here was a member of the senate bringing a bill to help gay people to the floor of the senate. What was wrong with me? But they did not want to engage in debate about it because they did not want to be perceived as being homophobic.

But they all voted against it. Out of 31 members of the Texas Senate, on a bill that would have provided some leadership, long before it became a national phenomenon. I got 3 votes out of 31 in the Texas Senate.

We need to do more about AIDS. We do not know what the solution is, but we know that a more humane treatment for persons who are HIV positive or who have contracted full-blown AIDS would be the use of Federal funds and dollars with matching funds from the local area.

Mr. Speaker, part of this \$400 billion can go a long way toward getting research and development so that we can encourage scientists to keep on until they find a vaccine or cure for AIDS.

Mr. Speaker, this would not be just for gay people, but for all people in our society. The people who have AIDS are our mothers and fathers, our sisters and brothers, and cousins. They are part of us. They are not different from us, they are like us. We ought to invest our resources in them, it seems to me.

Childhood immunization could be a major focus of our attention if we spent the \$400 billion that I am talking about here in this country.

For poor people who do not regularly see a doctor, after the child loses the mother's natural immunity at 6 months and until the child has to go to

be vaccinated to start school, most children, unless they are injured in some way or contract an illness, do not see a doctor.

Most poor children between the ages of 6 months and 6 years never see a doctor unless they have some sort of illness that requires them to go to the clinic or hospital or to a doctor's office.

This means that common diseases that were done away with we thought 20 years ago, such as measles and chicken pox, are on the rise again. The reason for this is because we do not have a system set up to immunize these children.

We are immunizing children because these diseases can cause permanent disability and death, but also can be contracted by other children in our society. It is for the self-protection of all of us that we should spend part of the \$400 billion, it seems to me, to insure that childhood immunization is a reality for all of our children.

Mr. Speaker, we can reduce infant mortality with part of this \$400 billion. Doctors have demonstrated that for every dollar we spend on prenatal care for pregnant mothers, we save \$1,000 per day in care for prematurely born children who have to stay in incubators for 6 months. We are being pennywise and pound-foolish by not providing care for all of the young women, especially young women who are pregnant, many of whom never get to see a doctor until they are late in the third trimester, many of whom in Houston sit out in parking lots sleeping in cars at night until it is time to deliver the child because they know if they go in the hospital, if they go in the emergency rooms and are in active labor, that no doctor can turn them away.

These women have not seen a doctor at all in their pregnancies. They are more likely to have low birth weight babies, more likely to have premature babies, and more likely to have children that will die within the first year of life. Here in America the infant mortality rate in many communities is higher than it is in so-called developing Third World countries.

□ 1440

We can turn that around by spending part of the \$400 billion that we can save by learning and having the courage to say that we do not need to defend Germany and Japan anymore. Let them defend themselves. Let us spend our money on ourselves and our children.

We can improve the quality of life for our senior citizens. There are many senior citizens throughout this country who only get one meal a day, one meal a day, because they live on fixed incomes and because the Meals on Wheels Program, because of the cutback on funds, they do not have enough to subsidize upon. Is this any way for them to live the twilight of their lives? Is this the American promise? I think not.

We ought to have the courage, judgment, integrity, and dedication to spend part of that \$400 billion that we could save by deciding that we are not going to be the world's military superpower and spend it on our people. We could eliminate homelessness in this country.

My colleagues, remember who the homeless people are. They are our mothers and fathers, sisters and brothers. They are homeless because they do not have a job and their houses have been taken away by one means or another. They are homeless because we do not have an adequate system of public housing for the people in this country. They are homeless because we have not developed a system of adequate job opportunities for the people in this country. I am glad that spring has come because when winter is here, not 50 miles away from here in Alexandria, VA, and in the hills and foothills leading up to Appalachia, because we have a paucity of shelters in which homeless people may live, the men give up all the space in the shelters for the women and children.

In order to stay warm at night, the men dig holes in the ground and cover up the hole with cardboard to stay warm. This is not my America. We can do better by our own people.

How can we spend money defending Germany from an enemy that does not exist and Japan from an enemy that does not exist so that they can keep buying bigger bombs and guns to defend themselves from Russia which is not a threat anymore, when our people are sleeping on the ground, when our people, when our senior citizens do not get a meal every day, when our children go to school without a free breakfast program every morning, when our educators tell us that if we feed the child a breakfast in the morning, they are three times more likely to learn? And if they are three times more likely to learn, they are three times less likely to be in prison. Then we have to pay \$40,000 a year to house them in prison when they turn 18 and 19 years old.

We could spend part of that \$400 billion doing that if we had the courage, and the judgment, and the integrity and dedication to be about our people's business in this country. We could clean up the environment in this country.

There are too many rivers and harbors, too much dirty air, too much pollution in the sky. We do not have the time nor the inclination to turn our attention to these things. We are busy taking care of the world. We are busy being the world's policeman.

We could take the \$400 billion or part of it and convert our defense economy into a peacetime economy. Why cannot people who are paid \$50,000 a year, for example, to be a doctor in Germany just in case some soldier of ours happens to get into some mishap and needs

a doctor, why can we not bring them home?

I would rather pay that doctor \$50,000 a year to go out to Podunk, TX, where they have no hospital because the hospitals have had to close in the rural areas because the doctors have all moved to the urban areas because they need to make more money than they are able to make in the rural area. If we are paying that doctor \$50,000 a year anyway, or that nurse \$30,000 a year anyway, or that schoolteacher to teach American children in Germany, why do we not bring them home and send those teachers to the areas where we need teachers?

We need teachers in urban America; and we need teachers in rural America. We need doctors in urban America; we need doctors in rural America. We need nurses in urban America; we need nurses in rural America. I am not against Germany and Japan, but they ought to be able to take care of themselves. They have been riding the nipple of this economy for 40 years. I think it is time that they take care of themselves, because being all that you can be does not mean being in the military for the rest of your life.

We are raising a whole generation of young people who have nothing to look forward to except staying in the service for 30 years, and then retiring because we do not have any jobs in a peacetime economy.

If we can build an airplane, the best airplane in the world that fly in the sky, no one can tell me that that is not better built than a Toyota automobile. If we can build airplanes that fly twice the speed of sound to go from one place to another off an aircraft carrier and drop napalm bombs, no one can tell me that the same industrial technology that does that cannot be turned to a peacetime economy so that we can build jobs in this country for our people.

We can take \$400 billion and we can make America proud and strong again. We can do that and we can live up to the words of John F. Kennedy, which I will again quote in closing: "For of those to whom much is given," no one would argue that to every Member of Congress much has been given. And there are some of us who are second and third generation in these jobs and they are privileged to have them. Their daddies and granddaddies did not will them these jobs. The people of America gave them these jobs. Much has been given to every Member of Congress. Much has been given by God, or by Allah, or whatever God, or no God, that we all individually follow. So since we have been so much, John Kennedy said we needed to give something back:

Much is required and when at some future date the high court of history sits in judgment on each Member of Congress, each elected official, recording whether in our brief span of service we fulfilled our respon-

sibilities to the state, our success or failure in whatever office we hold will be measured by the answer to four questions.

First, were we truly men and women of courage. My answer to that is that my history teaches me that Congress has not been men and women of courage. We need more men and women of courage, not Democrats and Republicans, elected to Congress. We need men and women of courage who are not afraid to look the voters in the eye and say, "this is where I stand on this issue and why and if 50 percent of you do not agree with me, then take your job back." That is what a democracy is. The people ought to have the right to take their job back. The people ought to have a right not to be lied to.

It reminds me of the old story about the senator who was out on the stump campaigning, not a member of the U.S. Senate, of course, because we cannot address them in our remarks. We say the other body.

But there was this joke about this, little story about the senator, and he was out there and he had his white suit on, just waxing away. And he was going on and on with a wonderful speech, much better than the few remarks that I have been able to make here, and a heckler was in the back of the audience. And one of the hecklers says, "Yeah, but how do you stand on whiskey?"

And this was a dry country where he happened to be speaking, so everybody had mixed emotions about it, so a hush fell over the crowd. And they were waiting to see what the senator was going to say. And the old senator, being smart as he was, took out his handkerchief and wiped his brow and kind of sized the crowd up while he was doing as many politicians are prone to do.

And let me stop and say, do not be so ingratiated by these politicians who smile at you and shake your hand and look at your name tag, "Hi, Bob, how are you doing?"

They do not know you from Adam, and the only people that can stop them from faking like they are genuine is you. We cannot stop them. Only the people of America can stop them from jiving you, and that is what they do most of the time. They do not know who you are. They do not know you from Adam, but they smile, pat you on the back.

If that is what you want in a public official, then you get what you deserve. If you want somebody who shows up at every country fair and every picnic and every function that goes on in the community and does nothing, does nothing up here in Congress to stand up for you and your rights, if you are looking for all form and no substance, then you get what you deserve. But if you want somebody who is going to stand up and look you eye to eye and tell you, "I disagree with you," how can any one



person agree with a half-million people when they do not agree with each other? Not in any congressional district in America will you find unanimity of thought on anything. On what color the school buses ought to be, on what time the sun ought to come up in the morning, on whether we ought to be on daylight saving time or not, on whether children ought to go to school 12 months a year. So how in the world can this person look you in the eye and tell you that they are in agreement with you on everything? They are lying to you.

□ 1450

You let them get away with it. You let them get away with it, with 30-second commercials on television. They stand there with a flag waving behind them and a dog on their laps and a person of the opposite sex beside them, and you are supposed to get the subliminal message that they are patriotic because they have a flag behind them and they are kind to animals, because they are holding a dog. They might kick the dog as soon as the commercial is over, and this might not even be their husband or wife standing beside them.

That does not matter. How do they stand on the issues that are important to the people in this country? Where do they stand up? How can they vote to send money to your district for programs and then vote against the taxes to pay for it? That is disingenuous. You can't have it both ways.

If we want to keep the Electric Boat Co. up in Connecticut building Seawolf submarines that we do not need any more, somebody has to pay for them. The people in Connecticut want the jobs but they want the rest of America to pay for them.

The people down in Newport News, VA, want to keep the naval base that they have down there, even though we do not need a large Navy, but the rest of the country has to pay for it. The same is true in Texas. We want the superconducting super collider. We think that is going to lead to scientific advance in the future, but nobody wants to pay for it.

They want to keep the thing down at NASA, and then they put all the pressure on your congressional delegation from your State to vote for these programs: "Craig, they are good for Texas; by God, these are good jobs for Texas." Somebody has to pay for these good jobs.

The same people who are trying to twist my arm to vote for these things are the same people that say, "Let us reduce the deficit and let us cut back taxes." How are you going to do both when California wants programs and Florida wants programs? Everybody wants programs.

It reminds me of what a minister said a long time ago, "Everybody wants to see Jesus and nobody wants to die."

Back to the story about the Senator. Some heckler said, "How do you stand on whiskey?" After the Senator summed up the crowd pretty good, he said, "Well, if you mean that evil brew that divides families," and everybody says yes, "That ruins homes," and everybody says yes, "that kills people on the highways," and everybody says yes, he said, "then I am against it." Then everybody says, "Wow."

Then he said, "However, if you mean that social beverage that draws people together, around which wonderful decisions are made, then I am for it."

That is the way most of your politicians are. They are for everything that you are for and they are against everything that you are against. How could that be? How could that be? Wouldn't you rather have somebody who is honest? Wouldn't you rather have somebody who looks you eye to eye, toe to toe, and says, "I know where you stand on this and I am against you on this. I am not for that, and here is why."

Then you have an election. If a majority of people that live in this community, whether it is the mayor, the dogcatcher, or whatever, if the majority of the people in a democracy, in an informed democracy, decide that this person is not voting in their best interests, they ought to have the right to have that job back. That is what a democracy is. That is what John F. Kennedy was talking about.

Let me finish this, and then I will be finished.

Regarding whether, in our brief span of service, we fulfill our responsibilities to the State, that is, to the people, not to the Government, the Government only exists for the people. We have all these nice mottoes up around here. They say nice things, and sometimes we have a nice prayer in the morning, and 5 minutes later the Members of this body forget what the prayer was.

Unfortunately, there are Members of Congress who serve in the same body who do not even speak to each other. I think that is really tragic. Here we are, 435 grown men and women, and sometimes some people have picked out other people that they do not even speak to. It seems to me that the American people, if they know that and knew who these people were, would do something about it.

I am not at liberty to say. It does not matter to me personally. I learned a long time ago there are some people who speak to me and some people who would not. It does not bother me any. That is something they have to carry around on their conscience when they might meet their God one time.

I speak to everybody around here. I try to speak to everybody. But I think there is something awfully wrong with an institution that is looked up to, or used to be looked up to as being the

highest elected office that can be bestowed upon the men and women of this country, and this is a high office. It is a high office to hold this position. It is a high honor to be elected to be a Member of Congress.

Then you walk up and down the halls and see other people elected to Congress and you find something to do, to turn your head to look at some papers, rather than speak.

My mother taught me there was nothing wrong with speaking. It does not take anything away from you just to say, "Good morning," or "Hello," or "How are you doing?" It is no wonder Congress is in the shape it is in.

In whatever office we hold, we will be measured by the answer to four questions:

First, were we truly men and women of courage? Second, were we truly men and women of judgment?

Third, were we truly men and women of integrity? Finally, were we truly men and women of dedication?

Having visited with my constituents for the past 2 weeks, Mr. Speaker, and without regard to whether I am re-elected to another term in this office or not, because frankly, I do not care, because I think it is better to serve as best we can for a short while than to stay here forever and do nothing, I am recommitted that between now and the end of the term to which the people of the 18th Congressional District have either fortunately or unfortunately elected me to hold, I will, with all the fiber in my body, bring to the attention of the American people on this microphone on a regular basis the problems that we confront as a country, not as a Democrat, not as a Republican, but as a person who meant it when he held up his hand and took the oath that I would defend with my life the Constitution and laws of the United States and the people that elected me.

#### JOB TRAINING 2000 ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. 102-321)

The SPEAKER pro tempore (Mr. NEAL of North Carolina) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Education and Labor, the Committee on Ways and Means, the Committee on Veterans' Affairs, the Committee on Agriculture, and the Committee on the Judiciary and ordered to be printed:

#### *To the Congress of the United States:*

I am pleased to transmit today for your immediate consideration and enactment the "Job Training 2000 Act." This legislation would reform the Federal vocational training system to meet the Nation's work force needs

into the 21st century by establishing: (1) a network of local skill centers to serve as a common point of entry to vocational training; (2) a certification system to ensure that only high quality vocational training programs receive Federal funds; and (3) a voucher system for vocational training to enhance participant choice.

Currently, a myriad of programs administered by a number of Federal agencies offer vocational education and job training at a cost of billions of dollars each year. This investment in the federally supported education and training system should provide opportunities to acquire the vital skills to succeed in a changing economy. Unfortunately, the current reality is that services are disjointed, and administration is inefficient. Few individuals—especially young, low-income, unskilled people—are able to obtain crucial information on the quality of training programs and the job opportunities and skill requirements in the fields for which training is available.

The Job Training 2000 Act transforms this maze of programs into a vocational training system responsive to the needs of individuals, business, and the national economy.

Four key principles underlie the Job Training 2000 Act. First, the proposal is designed to simplify and coordinate services for individuals seeking vocational training or information relating to such training. Second, it would decentralize decision-making and create a flexible service delivery structure for public programs that reflects local labor market conditions. Third, it would ensure high standards of quality and accountability for federally funded vocational training programs. Fourth, it would encourage greater and more effective private sector involvement in the vocational training programs.

The Job Training 2000 initiative would be coordinated through the Private Industry Councils (PICs) formed under the Job Training Partnership Act (JTPA). PICs are the public/private governing boards that oversee local job training programs in nearly 650 JTPA service delivery areas. A majority of PIC members are private sector representatives. Other members are from educational agencies, labor, community-based organizations, the public Employment Service, and economic development agencies.

Under the Job Training 2000 Act, the benefits of business community input, now available only to JTPA, would enhance other Federal vocational training programs. PICs would form the "management core" of the Job Training 2000 system and would oversee skill centers, certify (in conjunction with State agencies) federally funded vocational training programs, and manage the vocational training voucher system. Under this system, PICs would be accountable to Governors for their ac-

tivities, who in turn would report on performance to a Federal Vocational Training Council.

The skill centers would be established under this Act as a one-stop entry point to provide workers and employers with easy access to information about vocational training, labor markets, and other services available throughout the community. The skill centers would be designated by the local PICs after consultations within the local community. These centers would replace the dozens of entry points now in each community. Centers would present a coherent menu of options and services to individuals seeking assistance: assessment of skill levels and service needs, information on occupations and earnings, career counseling and planning, employability development, information on federally funded vocational training programs, and referrals to agencies and programs providing a wide range of services.

The skill centers would enter into written agreements regarding their operation with participating Federal vocational training programs. The programs would agree to provide certain core services only through the skill centers and would transfer sufficient resources to the skill centers to provide such services. These provisions would ensure improved client access, minimize duplication, and enhance the effectiveness of vocational training programs.

The Job Training 2000 Act also would establish a certification system for Federal vocational training that is based on performance. To be eligible to receive Federal vocational training funds, a program would have to provide effective training as measured by outcomes, including job placement, retention, and earnings. The PIC, in conjunction with the designated State agency, would certify programs that meet these standards. This system would increase the availability of information to clients regarding the performance of vocational training programs and ensure that Federal funds are only used for quality programs.

For the most part, vocational training provided under JTPA, the Carl D. Perkins Vocational Education Act (postsecondary only), and the Food Stamp Employment and Training Program would be provided through a voucher system. The voucher system would be operated under a local agreement between the PIC and covered programs. The system would provide participants with the opportunity to choose from among certified service providers. The vouchers would also contain financial incentives for successful training outcomes. By promoting choice and competition among service providers, the establishment of this system would enhance the quality of vocational training.

This legislation provides an important opportunity to improve services

to youths and adults needing to raise their skills for the labor market by focusing on the "consumer's" needs rather than preserving outmoded and disjointed traditional approaches. Enactment of this legislation would make significant contributions to the country's competitiveness by enhancing the opportunities available to our current and future workers and increasing the skills and productivity of our work force.

I urge the Congress to give this legislation prompt and favorable consideration

GEORGE BUSH.

THE WHITE HOUSE, April 28, 1992.

#### ANNUAL REPORT OF THE NATIONAL ENDOWMENT FOR THE HUMANITIES, FISCAL YEAR 1991—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Education and Labor:

*To the Congress of the United States:*

In accordance with the provisions of the National Foundation on the Arts and Humanities Act of 1965, as amended (20 U.S.C. 959(b)), I am pleased to transmit herewith the 25th Annual Report of the National Endowment for the Humanities for fiscal year 1991.

GEORGE BUSH.

THE WHITE HOUSE, April 28, 1992.

#### ANNUAL REPORT FOR 1991 OF FEDERAL COUNCIL ON AGING—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Education and Labor:

*To the Congress of the United States:*

In accordance with section 204(f) of the Older Americans Act of 1965, as amended (42 U.S.C. 3015(f)), I hereby transmit the Annual Report for 1991 of the Federal Council on the Aging. The report reflects the Council's views in its role of examining programs serving older Americans.

GEORGE BUSH.

THE WHITE HOUSE, April 28, 1992.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. STEARNS) to revise and ex-



tend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 60 minutes each day, on May 18, 19, 20, 21, 26, 27, 28, and 29.

Mr. GINGRICH, for 60 minutes each day, on May 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 27, 28, 29, June 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 22, 23, 24, 25, and 26.

Mr. FAWELL, for 60 minutes, on April 29.

(The following Members (at the request of Mr. TRAFICANT) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. WASHINGTON, for 60 minutes, today.

Mr. GONZALEZ, for 60 minutes, today.

Ms. KAPTUR, for 60 minutes each day, today and May 1.

Mr. POSHARD, for 60 minutes each day, today and April 29, 30, and May 1.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. STEARNS) and to include extraneous matter:)

Mr. DANNEMEYER in two instances.

Mr. MARTIN.

Mr. ROBERTS.

Mr. LEWIS of California in four instances.

Mr. HEFLEY.

Mr. GEKAS in two instances.

Mr. GILMAN in three instances.

Mr. RHODES.

Mrs. JOHNSON of Connecticut.

Ms. ROS-LEHTINEN in 10 instances.

Mr. GALLEGLY.

(The following Members (at the request of Mr. TRAFICANT) and to include extraneous matter:)

Mr. ANDERSON in 10 instances.

Mr. GONZALEZ in 10 instances.

Mr. BROWN in 10 instances.

Mr. ANNUNZIO in six instances.

Mr. MAZZOLI in two instances.

Mr. McMILLEN of Maryland.

Mr. JOHNSON of South Dakota.

Mr. SCHUMER.

Mr. TORRES in two instances.

Mr. OWENS of Utah.

Mr. SMITH of Florida.

Mr. CARDIN in five instances.

Mr. DORGAN of North Dakota.

Mr. REED.

Mr. YATRON in two instances.

Mr. SOLARZ.

Ms. SLAUGHTER in two instances.

Mr. GEREN of Texas.

Mr. BORSKI.

Mr. LANTOS.

#### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1128. An act to impose sanctions against foreign persons and United States persons that assist foreign countries in acquiring a nuclear explosive device or unsafeguarded special nuclear material, and for other purposes; to the Committee on Foreign Affairs.

#### ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4572. An act to direct the Secretary of Health and Human Services to grant a waiver of the requirement limiting the maximum number of individuals enrolled with a health maintenance organization who may be beneficiaries under the Medicare or Medicaid programs in order to enable the Dayton Area Health Plan, Inc., to continue to provide services through January 1994 to individuals residing in Montgomery County, OH, who are enrolled under a State plan for medical assistance under title XIX of the Social Security Act.

H.J. Res. 402. Joint resolution approving the location of a memorial to George Mason.

#### ADJOURNMENT

Mr. WASHINGTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 58 minutes p.m.) under its previous order, the House adjourned until Wednesday, April 29, 1992, at 2 p.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3307. A letter from the Deputy Secretary of Defense, transmitting a report on what would be the anticipated impact of termination of the funding by the Department of Defense for the activities and operations of the National Board for the Promotion of Rifle Practice, pursuant to Public Law 102-172 (105 Stat. 1158); to the Committee on Appropriations.

3308. A letter from the Deputy Director, Defense Research and Engineering, Department of Defense, transmitting notification of one additional fiscal year 1992 test project, pursuant to 10 U.S.C. 2350a(g); to the Committee on Armed Services.

3309. A letter from the Deputy Under Secretary of Defense, transmitting the annual report of the Foreign Comparative Testing [FCT] Program, pursuant to 10 U.S.C. 2350a(g)(4); to the Committee on Armed Services.

3310. A letter from the Office of General Counsel, Department of Defense, transmitting a draft of proposed legislation to authorize appropriations for fiscal year 1993 for military functions of the Department of Defense, to prescribe military personnel levels for fiscal year 1993, and for other purposes; to the Committee on Armed Services.

3311. A letter from the General Counsel, Federal Emergency Management Agency,

transmitting a draft of proposed legislation to amend title XXXIV of the National Defense Authorization Act for fiscal years 1992 and 1993, and for other purposes; to the Committee on Armed Services.

3312. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to provide for effective acquisition, maintenance, and operation of sealift for the Armed Forces, and for other purposes; to the Committee on Armed Services.

3313. A letter from the Secretary of Energy and Deputy Secretary of Defense, transmitting a report of the Defense Science Board on warhead pit-reuse, pursuant to Public Law 102-190, section 3133(c); to the Committee on Armed Services.

3314. A letter from the Secretary, Department of Housing and Urban Development, transmitting the report entitled, "Final Evaluation of the Neighborhood Development Demonstration Program," pursuant to 42 U.S.C. 5318 note; to the Committee on Banking, Finance and Urban Affairs.

3315. A letter from the Director, Office of Personnel Management, transmitting a draft of proposed legislation to authorize financial institutions to disclose to the Office of Personnel Management the names and current addresses of their customers who are receiving, by direct deposit or electronic funds transfer, payments of civil service retirement benefits under chapter 83 or Federal employees' retirement benefits under chapter 84 of title 5, United States Code; to the Committee on Banking, Finance and Urban Affairs.

3316. A letter from the Secretary of Housing and Urban Development, transmitting a draft of proposed legislation to make certain programs of the Department of Housing and Urban Development more cost effective, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

3317. A letter from the Acting Commissioner, Department of Education, transmitting the first report on the evaluation of the National Assessment of Educational Progress "Trial State Assessment," pursuant to Public Law 100-297, section 3403(a) (102 Stat. 348); to the Committee on Education and Labor.

3318. A letter from the Deputy Secretary of Education, transmitting a copy of Final Regulations—Assistance for local educational agencies in education of children where local education agencies cannot provide suitable free public education, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3319. A letter from the Secretary of Education, transmitting a copy of the report on Notice of Final Priorities for Certain New Direct Grant Awards under the Office of Special Education Programs, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3320. A letter from the Secretary of Education, transmitting a copy of the report on Notice of Final Priorities—National Institute on Disability and Rehabilitation Research for 1992-93, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3321. A letter from the Secretary of Education, transmitting Final Regulations—Educational Partnerships Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3322. A letter from the Secretary of Education, transmitting a draft of proposed legislation to extend and amend the Rehabilitation Act of 1973, to improve rehabilitation services for individuals with disabilities, to

modify certain discretionary grant programs providing essential services and resources specifically designed for individuals with disabilities, to change certain terminology, and for other purposes; to the Committee on Education and Labor.

3323. A letter from the Secretary of Education, transmitting a draft of proposed legislation to make certain amendments to the act of September 30, 1950 (Public Law 874, Eighty-first Congress), and the act of September 23, 1950 (Public Law 815, Eighty-first Congress), and for other purposes; to the Committee on Education and Labor.

3324. A letter from the Secretary, Department of Transportation, transmitting the 16th annual report on the Automotive Fuel Economy Program, pursuant to 15 U.S.C. 2002(a)(2); to the Committee on Energy and Commerce.

3325. A letter from the Director, Defense Security Assistance Agency, transmitting notification of the Departments of the Navy's and Air Force's proposed Letter(s) of Offer and Acceptance [LOA] to Finland for defense articles and services (Transmittal No. 92-20), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3326. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment sold commercially to Thailand (Transmittal No. DTC-12-92), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

3327. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment sold commercially to Taiwan (Transmittal No. DTC-9-92), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

3328. A letter from the Director, Defense Security Assistance Agency, transmitting the price and availability report for the quarter ending March 31, 1992, pursuant to 22 U.S.C. 2768; to the Committee on Foreign Affairs.

3329. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions of Donald K. Petterson, of California, to be Ambassador to the Republic of Sudan, and members of his family, also Hume Alexander Horan, of the District of Columbia, to be Ambassador to the Republic of Cote d'Ivoire, and members of his family, also Kenton Wesley Keith, of Missouri, to be Ambassador to the State of Qatar, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3330. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

3331. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

3332. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification that the Russian Federation, Ukraine, and Byelorussia are committed to the course of action described in the Soviet nuclear risk reduction legislation; to the Committee on Foreign Affairs.

3333. A letter from the Employee Benefits Manager, Farm Credit Bank of Columbia, transmitting the audited financial state-

ments as of August 31, 1990, for the Columbia District, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Operations.

3334. A letter from the Chairman, Interstate Commerce Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1991, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

3335. A letter from the Chairman, National Capital Planning Commission, transmitting a report of activities under the Freedom of Information Act for calendar year 1991; pursuant to 5 U.S.C. 552(e); to the Committee on Government Operations.

3336. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1991, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

3337. A letter from the Chairman, Pension Benefit Guaranty Corporation, transmitting the PBGC's management report, pursuant to Public Law 101-576, section 306(a) (104 Stat. 2854); to the Committee on Government Operations.

3338. A letter from the Chairman, Rural Telephone Bank, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1991, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.

3339. A letter from the Secretary of Transportation, transmitting a report of activities under the Freedom of Information Act for calendar year 1991, pursuant to 5 U.S.C. 552(e); to the Committee on Government Operations.

3340. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3341. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

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3345. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3346. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3347. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to provide for the remedy of a civil injunction for the violations of counterfeiting and forgery, and for other purposes; to the Committee on the Judiciary.

3348. A letter from the Chairman, Advisory Commission on Conferences in Ocean Shipping, transmitting a report containing information on and analysis of the major issues that arise in connection with ocean shipping conferences, pursuant to 46 U.S.C. 1717(h); to the Committee on Merchant Marine and Fisheries.

3349. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to clarify inspection and enforcement authority over foreign passenger vessels and align inspection authority with the International Convention for the Safety of Life at Sea, and for other purposes; to the Committee on Merchant Marine and Fisheries.

3350. A letter from the Chairman, Inland Waterway Users Board, transmitting the Board's fifth annual report of its activities; recommendations regarding construction, rehabilitation priorities and spending levels on the commercial navigational features and components of inland waterways and harbors, pursuant to Public Law 99-662, section 302(b) (100 Stat. 4111); to the Committee on Public Works and Transportation.

3351. A letter from the Administrator, General Services Administration, transmitting information copies of various lease prospectuses, pursuant to 40 U.S.C. 606(a); to the Committee on Public Works and Transportation.

3352. A letter from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to clarify the authority of the Chief Medical Director or designee regarding review of the performance of probationary title 38 health care employees; to the Committee on Veterans' Affairs.

3353. A communication from the President of the United States, transmitting his decision to terminate the application of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.) to the Czech and Slovak Federal Republic and the Republic of Hungary, also proclaim the extension of nondiscriminatory treatment (most-favored-nation [MFN] treatment) to the products of both countries (H. Doc. No. 102-320); to the Committee on Ways and Means and ordered to be printed.

3354. A letter from the President, U.S. Institute of Peace, transmitting the financial audit for fiscal year 1991, pursuant to 22 U.S.C. 4607(h); jointly, to the Committees on Foreign Affairs and Education and Labor.

3355. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting copies of the following annual report which are contained in the enclosed winter issue, March 1992, of the "Treasury Bulletin": Airport and Airway Trust Fund (26 U.S.C. 9602), Asbestos Trust Fund (20 U.S.C. 4014), Black Lung Disability Trust Fund (26 U.S.C. 9602), Harbor Maintenance Trust Fund (26 U.S.C. 9505), Hazardous Substance Superfund (26 U.S.C. 9507), Highway Trust Fund (26 U.S.C. 9602), Inland Waterways Trust (26 U.S.C. 9602), Leaking Under-



ground Storage Tank Trust Fund (26 U.S.C. 9508), Nuclear Waste Trust Fund (42 U.S.C. 1022(e)(1)), Reforestation Trust Fund (16 U.S.C. 1606a(c)(1)), Statement of Liabilities and Other Financial Commitments of the U.S. Government (31 U.S.C. 331(b)); jointly, to the Committee on Ways and Means, Education and Labor, Agriculture, Energy and Commerce, Interior and Insular Affairs, and Public Works and Transportation.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

*[Pursuant to the order of the House on April 9, 1992, the following reports were filed on April 22, 1992]*

Mr. CONYERS: Committee on Government Operations: Misplaced Trust: The Bureau of Indian Affairs' Mismanagement of the Indian Trust Fund (Rept. 102-499). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROWN: Committee on Science, Space, and Technology. To authorize appropriations to the National Aeronautics and Space Administration for research and development, space flight, control and data communications, construction of facilities, research and program management, and inspector general, and for other purposes; with an amendment (Rept. 102-500). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on Government Operations. Issues in Aircraft Cabin Safety and Crash Survivability: The USAir-Skywest Accident (Rept. 102-501). Referred to the Committee of the Whole House on the State of the Union.

*[Introduced April 28, 1992]*

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 4485. A bill to authorize reimbursement of expenses for overseas inspections and examination of foreign vessels (Rept. 102-502). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROE: Committee on Public Works and Transportation. H.R. 4691. A bill to amend the Airport and Airway Improvement Act of 1982 to authorize appropriations for fiscal year 1993 and 1994, and for other purposes; with an amendment (Rept. 102-503). Referred to the Committee of the Whole House on the State of the Union.

#### REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

*[Omitted from the Record of April 9, 1992]*

Mr. DE LA GARZA: Committee on Agriculture. H.R. 2407. A bill entitled the "Farm Animal and Research Facilities Protection Act of 1991"; with an amendment; referred to the Committee on the Judiciary for a period ending not later than July 2, 1992, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(m), rule X (Rept. 102-498 Pt. 1). Ordered to be printed.

#### SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of Rule X, the following action was taken by the Speaker:

*[Submitted April 17, 1992]*

H.R. 3304. Referral to the Committees on Government Operations and Rules extended for a period ending not later than May 8, 1992.

*[Submitted April 28, 1992]*

H.R. 776. Referred to the Committee on Agriculture for a period ending not later than May 1, 1992, for consideration of those provisions within titles XII, XVI and XIX contained in the amendment recommended by the Committee on Energy and Commerce that fall within the jurisdiction of that committee pursuant to clause 1(a), rule X.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CARDIN:

H.R. 4989. A bill to amend title 35, United States Code, to impose a 5-year moratorium on the granting of patents on invertebrate or vertebrate animals, including those that have been genetically engineered, in order to provide time for the Congress to fully assess, consider, and respond to the economic, environmental, and ethical issues raised by the patenting of such animals; to the Committee on the Judiciary.

By Mr. WHITTEN:

H.R. 4990. A bill rescinding certain budget authority, and for other purposes; to the Committee on Appropriations.

By Mr. CLAY (for himself, Mr. ACKERMAN, and Mr. KANJORSKI):

H.R. 4991. A bill to amend title 5, United States Code, to establish notification requirements relating to reductions in force affecting Federal employees; to require that the Office of Personnel Management establish and maintain a Governmentwide list of vacant positions in Federal agencies; to implement measures designed to facilitate the reemployment of certain displaced Federal employees; and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CRANE:

H.R. 4992. A bill to suspend until January 1, 1995, the duty of Ceretec; to the Committee on Ways and Means.

By Mr. DANNEMEYER:

H.R. 4993. A bill to amend the Americans with Disabilities Act of 1990 and other provisions of law to provide for the prevention of certain adverse effects on the economy of the United States; jointly, to the Committees on Education and Labor, Public Works and Transportation, Ways and Means, and the Judiciary.

H.R. 4994. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to exempt certain persons from liability under that act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DORGAN of North Dakota (for himself and Mr. ECKART):

H.R. 4995. A bill to provide for the establishment of a savings and loan criminal fraud task force to prosecute crimes involving savings and loan institutions; to the Committee on the Judiciary.

By Mr. GEJDENSON (for himself, Mr. ROTH, Mr. LEVIN of Michigan, Mr.

MCGRATH, Mr. JOHNSTON of Florida, Mr. FEIGHAN, Mr. WOLPE, Mr. LEVINE of California, Mr. ENGEL, Mr. ORTON, and Mr. MURPHY):

H.R. 4996. A bill to extend the authorities of the Overseas Private Investment Corporation, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GEREN of Texas:

H.R. 4997. A bill to promote a North Atlantic Defense Community; to the Committee on Foreign Affairs.

By Mr. JONES of North Carolina:

H.R. 4998. A bill to suspend until January 1, 1995, the duty on certain textile spinning machines; to the Committee on Ways and Means.

By Mr. KOSTMAYER:

H.R. 4999. A bill to authorize additional appropriations for implementation of the development plan for Pennsylvania Avenue between the Capitol and the White House; to the Committee on Interior and Insular Affairs.

By Mr. WYDEN (for himself, Mr. BILLRAKIS, Mr. DINGELL, Mr. SCHEUER, Mr. LENT, Mr. WAXMAN, Mr. MOORHEAD, Mr. SHARP, Mr. RINALDO, Mr. MARKEY, Mr. DANNEMEYER, Mr. SWIFT, Mr. RITTER, Mrs. COLLINS of Illinois, Mr. BLILEY, Mr. SYNAR, Mr. FIELDS, Mr. TAUZIN, Mr. OXLEY, Mr. HALL of Texas, Mr. SCHAEFER, Mr. ECKART, Mr. BARTON of Texas, Mr. RICHARDSON, Mr. CALLAHAN, Mr. SLATTERY, Mr. MCMILLAN of North Carolina, Mr. SIKORSKI, Mr. HASTERT, Mr. BRYANT, Mr. HOLLOWAY, Mr. BUCHER, Mr. UPTON, Mr. COOPER, Mr. BRUCE, Mr. ROWLAND, Mr. MANTON, Mr. TOWNS, Mr. MCMILLEN of Maryland, Mr. STUDDS, Mr. KOSTMAYER, Mr. LEHMAN of California, and Mr. HARRIS):

H.R. 5000. A bill to amend the Petroleum Marketing Practices Act; to the Committee on Energy and Commerce.

By Mr. KOSTMAYER (for himself, Mr. OWENS of Utah, and Mr. GEJDENSON):

H.R. 5001. A bill to amend the Outdoor Recreation Act of 1963 to authorize the National Park Service and the U.S. Geological Survey to conduct a national river systems recreation assessment; to the Committee on Interior and Insular Affairs.

By Mr. RHODES:

H.R. 5002. A bill to amend title XVIII of the Social Security Act to require physicians not participating in the medicare program to refund amounts paid for physicians' services by individuals enrolled under part B of the program in excess of the limiting charges applicable to such services, and for other purposes; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. ROTH:

H.R. 5003. A bill to provide for the deobligation of certain unexpended balances of funds made available for foreign economic assistance; to the Committee on Foreign Affairs.

By Mr. SARPALIUS:

H.R. 5004. A bill to provide the authority for Lake Meredith National Recreation Area to enter into a management agreement for public recreational use on lands administered by the Bureau of Mines; to the Committee on Interior and Insular Affairs.

By Mr. TRAFICANT:

H.R. 5005. A bill to exempt any person operating a trade or business in the State of Ohio from all Federal laws and regulations applying with regard to such trade or business; to the Committee on Government Operations.

By Mr. BERMAN (for himself, Mrs. MORELLA, Mr. WEISS, Mr. WAXMAN, and Mr. LEVINE of California):

H.J. Res. 473. Joint resolution to prohibit the proposed sale to Kuwait of an air defense system; to the Committee on Foreign Affairs.

By Mr. ROBERTS:

H.J. Res. 474. Joint Resolution designating the week of October 4 through 10, 1992, as "National Customer Service Week"; to the Committee on Post Office and Civil Service.

By Mr. SOLARZ:

H. Con. Res. 311. Concurrent resolution recognizing the 50th anniversary of the Battle of the Coral Sea, paying tribute to the United States-Australian relationship, and reaffirming the importance of cooperation between the United States and Australia within the region; to the Committee on Foreign Affairs.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

370. By the SPEAKER: Memorial of the General Assembly of the Commonwealth of Virginia, relative to public assistance benefits; to the Committee on Agriculture.

371. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to the 276th Engineer Battalion; to the Committee on Armed Services.

372. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to the 276th Engineer Battalion; to the Committee on Armed Services.

373. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to health care benefits for Virginia's coal miners; to the Committee on Education and Labor.

374. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to Medicaid payment for covered outpatient drugs; to the Committee on Energy and Commerce.

375. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to state-of-the-art communications network systems; to the Committee on Energy and Commerce.

376. Also, memorial of the General Assembly of the State of Vermont, relative to breast cancer; to the Committee on Energy and Commerce.

377. Also, memorial of the General Assembly of the State of Colorado, relative to the allocation of the electromagnetic spectrum; to the Committee on Energy and Commerce.

378. Also, memorial of the General Assembly of the State of Colorado, relative to the cable industry; to the Committee on Energy and Commerce.

379. Also, memorial of the General Assembly of the State of Indiana, relative to Federal funds for interstitial cystitis public education and research; to the Committee on Energy and Commerce.

380. Also, memorial of the General Assembly of the State of Iowa, relative to preventive measures for breast cancer, to the Committee on Energy and Commerce.

381. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to Federal mandates on the Commonwealth; to the Committee on Government Operations.

382. Also, memorial of the Senate of the State of Michigan, relative to the National Park System; to the Committee on Interior and Insular Affairs.

383. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to the line-item veto power; to the Committee on the Judiciary.

384. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to desecration of the American flag; to the Committee on the Judiciary.

385. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to the equal rights amendment; to the Committee on the Judiciary.

386. Also, memorial of the General Assembly of the State of Missouri, relative to the commerce of insurance; to the Committee on the Judiciary.

387. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to constructing a veterans' medical facility in northern Virginia; to the Committee on Veterans' Affairs.

388. Also, memorial of the Legislature of the State of Maine, relative to the 10th anniversary of the Vietnam Veterans Memorial in Washington, DC; to the Committee on Veterans' Affairs.

389. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to the industrial revenue bond program; to the Committee on Ways and Means.

390. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to U.S. trade laws and trade agreements; to the Committee on Ways and Means.

391. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to public assistance benefits; to the Committee on Ways and Means.

392. Also, memorial of the General Assembly of the Commonwealth of Virginia, relative to health care benefits for Virginia's coal miners; to the Committee on Ways and Means.

393. Also, memorial of the Legislature of the State of Colorado relative to additional wilderness areas in Colorado; jointly to the Committees on Agriculture and Interior and Insular Affairs.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 78: Mr. CAMPBELL of California.

H.R. 110: Mr. ABERCROMBIE.

H.R. 299: Mr. INHOFE and Mr. EDWARDS of Oklahoma.

H.R. 467: Mrs. SCHROEDER, Mr. HUNTER, Mr. LOWERY of California, Mr. SABO, and Mr. MILLER of Ohio.

H.R. 671: Mr. MCCOLLUM.

H.R. 784: Mr. ATKINS, Mrs. MEYERS of Kansas, and Mr. ASPIN.

H.R. 842: Mr. GREEN of New York and Mr. RAY.

H.R. 1110: Mr. OLVER and Mr. SAWYER.

H.R. 1130: Ms. PELOSI.

H.R. 1161: Mr. SIKORSKI.

H.R. 1300: Mr. ENGEL and Mr. BORSKI.

H.R. 1468: Mr. SENSENBRENNER and Mr. CAMP.

H.R. 1497: Mr. CHAPMAN, Mr. MORAN, Mr. OBERSTAR, Mr. MCCURDY, and Mr. OXLEY.

H.R. 1703: Mr. JONES of Georgia.

H.R. 1860: Mr. CRAMER.

H.R. 1994: Mr. BLAZ.

H.R. 2070: Mr. SWIFT, Mr. EDWARDS of Oklahoma, Mr. TALLON, Mr. SMITH of Texas, Mr. ABERCROMBIE, Ms. PELOSI, Mr. DAVIS, Mr. WOLPE, and Mr. WELDON.

H.R. 2200: Mr. DANNEMEYER.

H.R. 2248: Mr. STENHOLM and Mrs. LOWEY of New York.

H.R. 2361: Mr. LEHMAN of California.

H.R. 2385: Mr. FROST.

H.R. 2782: Mr. RICHARDSON, Mr. TRAXLER, Mr. ACKERMAN, Mr. FLAKE, Mr. WHEAT, Mr. LEHMAN of California, Mr. DAVIS, and Mr. FASCELL.

H.R. 2840: Mr. SCHIFF, Mrs. BOXER, and Mr. POSHARD.

H.R. 2890: Mr. MAVROULES.

H.R. 2945: Mr. GILCHREST.

H.R. 3026: Mr. SENSENBRENNER.

H.R. 3071: Mr. JEFFERSON, Mr. SCHIFF, Mr. HANSEN, Mr. HUCKABY, Mr. COUGHLIN, and Mr. MCCOLLUM.

H.R. 3121: Mr. GUNDERSON and Mr. KLUG.

H.R. 3142: Mr. GRANDY and Mr. MAVROULES.

H.R. 3173: Mr. LANTOS.

H.R. 3229: Mr. OWENS of New York.

H.R. 3373: Mr. LAROCCO, Mr. FLAKE, Mr. BARTON of Texas, Mr. CLINGER, Mr. GEREN of Texas, and Mr. LENT.

H.R. 3438: Mr. TORRICELLI.

H.R. 3440: Mr. TORRICELLI.

H.R. 3441: Mr. ALLEN.

H.R. 3450: Ms. PELOSI, Ms. NORTON, Mr. NAGLE, and Mr. HASTERT.

H.R. 3518: Mr. FISH, Mr. MCCLOSKEY, Mr. WOLF, Mr. MILLER of California, Mr. TOWNS, and Mr. SHAW.

H.R. 3526: Mr. ENGEL and Mr. BOUCHER.

H.R. 3561: Mr. SENSENBRENNER, Mr. HEFLEY, Mr. ZELIFF, Mr. KOLBE, Mr. PENNY, and Ms. HORN.

H.R. 3612: Ms. PELOSI.

H.R. 3633: Mr. ACKERMAN, Mr. FROST, Mr. MRAZEK, and Mr. ENGEL.

H.R. 3725: Mr. LAGOMARSINO and Mr. GLICKMAN.

H.R. 3861: Mr. MORAN.

H.R. 3971: Mr. HOLLOWAY, Mr. PRICE, and Mr. CONNIT.

H.R. 3986: Mr. COSTELLO.

H.R. 4013: Ms. KAPTUR and Mr. CARPER.

H.R. 4083: Mr. BARNARD, Mr. PRICE, and Mr. RITTER.

H.R. 4107: Mr. MACHTLEY.

H.R. 4174: Mr. BOEHNER, Mr. JACOBS, Mr. DANNEMEYER, Mr. FRANK of Massachusetts, Mr. GOSS, and Mrs. SCHROEDER.

H.R. 4178: Mr. COX of California, Mr. STARK, Mr. SHAW, Mr. WAXMAN, Mr. EVANS, Mr. HOYER, Mr. CLINGER, and Mr. GUARINI.

H.R. 4206: Mr. STOKES, Mrs. BYRON, Mr. SOLARZ, Mr. BLACKWELL, Mr. SERRANO, and Mr. ESPY.

H.R. 4222: Mr. ROE, Mr. LIPINSKI, Mr. MILLER of California, Mr. FROST, Mr. ABERCROMBIE, Mr. BUSTAMANTE, Mrs. UNSOELD, Mr. RIGGS, Mr. BATEMAN, and Mrs. BOXER.

H.R. 4229: Mr. KOSTMAYER.

H.R. 4278: Mr. SCHIFF.

H.R. 4280: Mr. STUMP.

H.R. 4304: Mr. DINGELL, Mr. CHAPMAN, Mr. DEFazio, Mr. SANDERS, and Mr. MURTHA.

H.R. 4342: Mr. RHODES.

H.R. 4361: Mr. FROST, and Mr. EVANS.

H.R. 4399: Ms. HORN.

H.R. 4406: Mr. NICHOLS and Mr. WALKER.

H.R. 4414: Mr. HUGHES, Mr. ATKINS, and Mr. LEHMAN of California.

H.R. 4416: Mr. STUDDS and Ms. OAKAR.

H.R. 4419: Mr. BATEMAN, Mr. TORRICELLI, Mr. FROST, Mr. HOAGLAND, Mr. BUSTAMANTE, Mr. INHOFE, Mr. EVANS, and Mr. GORDON.

H.R. 4430: Mr. INHOFE and Mr. HAYES of Louisiana.

H.R. 4473: Mr. SAWYER and Mr. ANDREWS of Maine.

H.R. 4490: Mr. GLICKMAN, Ms. KAPTUR, and Mr. EVANS.

H.R. 4504: Mr. ZELIFF.

H.R. 4513: Mr. CAMPBELL of California, Mr. MACHTLEY, and Mr. MORAN.



H.R. 4516: Mr. KENNEDY, Mr. OLVER, Mr. TRAXLER, Mr. KOPETSKI, Mrs. MINK, Mr. DE LUGO, Mr. SAVAGE, Mr. AUCOIN, Mr. HUTTO, Mr. DEFazio, Mr. NEAL of Massachusetts, Mr. JEFFERSON, Mr. FRANK of Massachusetts, and Mr. MCCLOSKEY.

H.R. 4530: Mr. OLVER, Mr. SPRATT, Mr. GUARINI, Mr. GLICKMAN, Mr. ALLEN, and Mr. MARTINEZ.

H.R. 4538: Mr. COLEMAN of Texas, Mr. GUARINI, Ms. PELOSI, and Mr. EVANS.

H.R. 4554: Mrs. SCHROEDER, Mr. BLACKWELL, Ms. NORTON, Mr. EVANS, Mr. JONTZ, and Mr. MARTINEZ.

H.R. 4565: Mr. SOLOMON, Mr. NICHOLS, and Mr. INHOFE.

H.R. 4584: Mr. NAGLE, Mr. MAZZOLI, Mr. ENGLISH, Mr. JONTZ, and Mr. ZELIFF.

H.R. 4613: Mr. WALSH, Mr. LIVINGSTON, Mr. RANGEL, Mr. GILLMOR, and Mr. EWING.

H.R. 4689: Mr. KOSTMAYER, Mr. GOODLING, Mr. ATKINS, and Mr. BRYANT.

H.R. 4713: Mr. LIVINGSTON and Mr. DORNAN of California.

H.R. 4730: Mr. WAXMAN, Mr. BACCHUS, Mr. BONIOR, Mr. TOWNS, Mrs. LLOYD, Mr. SHAYS, and Mr. ABERCROMBIE.

H.R. 4750: Mr. SAXTON, Mr. MURPHY, Mr. WILLIAMS, Mr. DOOLEY, Mr. STOKES, Mr. CAMPBELL of Colorado, Mr. GEJDENSON, Mr. DONNELLY, Mr. SABO, Mr. HOAGLAND, Mr. FOGLIETTA, Mrs. MORELLA, Ms. SNOWE, Mr. RANGEL, Mr. PRICE, Mr. CARPER, Mr. LIPINSKI, and Mr. MOODY.

H.R. 4754: Mr. SHAW.

H.R. 4779: Mr. BUSTAMANTE, Mr. LANCASTER, Mr. PAYNE of New Jersey, and Mr. EVANS.

H.R. 4908: Mr. JONES of North Carolina.

H.R. 4944: Mr. SCHIFF and Mr. EWING.

H.J. Res. 22: Mr. CHANDLER.

H.J. Res. 27: Mr. ROSE.

H.J. Res. 271: Mr. LEHMAN of California.

H.J. Res. 318: Mr. GALLEGLY, Mr. SPENCE, Mr. TORRES, Mr. HAMMERSCHMIDT, Mr. ASPIN, Mr. CHANDLER, Mr. CLINGER, Mr. COYNE, Mr. SPRATT, Mr. STOKES, Mr. KOSTMAYER, Mr. BROOKS, Mr. EDWARDS of Texas, Mr. MURTHA, Mr. ORTON, Mr. LEWIS of Georgia, Mr. WEBER, Mr. YATES, Mr. HOCHBRUECKNER, Mr. TRAFICANT, Mr. MOODY, Mr. WYDEN, Mr. LOWERY of California, Mr. WISE, Mr. MILLER of Washington, Mr. COX of California, Mr. SARPALIUS, Mr. GREEN of New York, Mr. SMITH of Oregon, Mr. OBEY, Mr. YOUNG of Florida, Mr. HUTTO, Mr. GIBBONS, Mr. JOHNSTON of Florida, Ms. MOLINARI, Mr. EARLY, and Mr. WOLF.

H.J. Res. 358: Mr. COBLE.

H.J. Res. 378: Mr. MANTON, Mr. MATSUI, Mr. BLILEY, and Mr. CAMP.

H.J. Res. 388: Mr. LEVINE of California, Mr. SAWYER, Mr. HAMMERSCHMIDT, Mr. SCHUMER, Mr. ROSE, Mr. GALLO, Mr. DICKINSON, Mr. COOPER, Mr. DYMALLY, Mr. BLACKWELL, Mr. KENNEDY, Mr. GINGRICH, Mr. GEKAS, Mr. MOLLOHAN, Mr. COLEMAN of Texas, Mr. ENGEL, Mr. HUBBARD, Mr. BONIOR, Mr. LEHMAN of Florida, Mr. MCCOLLUM, Mr. MURPHY, Mrs. LOWEY of New York, Mr. PARKER, Ms. OAKAR, Mr. GORDON, Mr. FLAKE, Mr. PICKLE, Mr. KOSTMAYER, Mr. ROWLAND, Mr. SOLARZ, Mr. SOLOMON, Mr. SPENCE, Mr. SLATTERY, Mr. DORNAN of California, Mr. LANTOS, Mr. ASPIN, Mr. BACCHUS, Mr. YOUNG of Florida, Mr. MCEWEN, Mr. CHANDLER, Mr. KILDEE, Mr. DEFazio, Mr. WASHINGTON, Mr. APPELATE, Mr. BORSKI, Mr. CARR, Mr. LEWIS of Georgia, Mr. DOOLITTLE, Mr. DELLUMS, Mr. HEFNER, Mr. EWING, Mr. HALL of Ohio, Mr. GREEN of New York, Mr. WYDEN, Mr. GONZALEZ, and Mr. HOCHBRUECKNER.

H.J. Res. 391: Mr. ROE, Mr. HOLLOWAY, Mr. GORDON, Mr. GUARINI, Mr. BILIRAKIS, Mr.

SUNDQUIST, Mr. TRAXLER, Mr. TANNER, Mr. RANGEL, Mr. WAXMAN, Mr. RAY, and Mr. GILCHREST.

H.J. Res. 397: Mr. FRANKS of Connecticut, Mr. MACHTLEY, Mr. JOHNSON of South Dakota, Mr. PURSELL, and Mrs. MORELLA.

H.J. Res. 411: Mr. ENGEL, Mr. CALLAHAN, Mr. CARDIN, Mr. CONYERS, Mr. DARDEN, Mr. COYNE, Mr. DELLUMS, Mr. DICKS, Mr. DONNELLY, Mr. GILCHREST, Mr. GOODLING, Mr. MURTHA, Mr. KOSTMAYER, Mr. HYDE, Mr. HUBBARD, Mr. SERRANO, Mr. GUNDERSON, Mr. EVANS, Mr. JACOBS, Mr. WELDON, and Mr. HAMMERSCHMIDT.

H.J. Res. 425: Mr. LEVIN of Michigan, Mrs. COLLINS of Illinois, Mr. TOWNS, Mr. JOHNSTON of Florida, Mr. DINGELL, Mr. SCHUMER, Mr. WALSH, Mr. HORTON, Mr. BRUCE, Mr. LAFALCE, Mr. WEBER, Mr. ENGEL, Mr. EVANS, Mr. MCGRATH, Mr. CONYERS, Mr. ANNUNZIO, Mr. CARPER, Mr. JONTZ, Mr. CARR, Mr. RINALDO, Mrs. ROUKEMA, Mr. ROYBAL, Mr. SAXTON, Mr. SOLARZ, Mr. WAXMAN, Mr. WOLPE, Mr. YATRON, and Mr. CLINGER.

H.J. Res. 430: Ms. SLAUGHTER, Mrs. VUCANOVICH, Mr. RICHARDSON, Mr. ROWLAND, Mr. SISISKY, Mr. COBLE, Mr. WISE, Mr. LOWERY of California, Mr. YOUNG of Florida, Mr. GRANDY, Mr. KILDEE, Mr. CONYERS, Mr. DOOLITTLE, and Mr. SCHEUER.

H.J. Res. 431: Mr. MURPHY, Mr. WAXMAN, Mr. RAMSTAD, Mr. BEVILL, Mr. CAMP, Mr. ROTH, Mr. LEWIS of Florida, Mr. HYDE, Mr. KOSTMAYER, Mr. DE LA GARZA, Mr. CALLAHAN, Mr. LEWIS of California, Mr. GREEN of New York, Mr. BURTON of Indiana, Mr. GILMAN, Mrs. KENNELLY, Mr. AUCOIN, Mr. TAUZIN, Mr. ROWLAND, Mr. JOHNSTON of Florida, Mr. SMITH of Oregon, Mr. APPELATE, Mr. MINETA, Mr. MCCOLLUM, Mr. RAY, Mr. HUCKABY, Ms. OAKAR, Mr. PERKINS, Ms. LONG, Mr. BORSKI, Mr. LAUGHLIN, Mr. SCHEUER, Mr. TALLON, Mr. VENTO, Mr. PETERSON of Florida, Mr. FAZIO, Mr. PICKLE, Mr. JONES of North Carolina, Mr. COYNE, Mr. CLAY, Mr. REED, Mr. KILDEE, Mr. GUNDERSON, Mr. ALLEXANDER, Mr. YOUNG of Alaska, Mr. FOGLIETTA, Mr. JONTZ, Mr. SISISKY, Mr. INHOFE, Mr. DELAY, Mrs. MINK, Mr. MCHUGH, Mr. RICHARDSON, Mr. BATEMAN, and Ms. PELOSI.

H.J. Res. 433: Mr. ABERCROMBIE, Mr. BACCHUS, Mr. BALLENGER, Mr. BERMAN, Mr. BILIRAKIS, Mr. BREWSTER, Mr. CLEMENT, Mr. CLINGER, Mr. CONYERS, Mr. COSTELLO, Mr. COYNE, Mr. DELLUMS, Mr. DE LA GARZA, Mr. DWYER of New Jersey, Mr. DYMALLY, Mr. EVANS, Mr. FEIGHAN, Mr. FISH, Mr. FORD of Tennessee, Mr. FROST, Mr. GALLO, Mr. GEREN of Texas, Mr. HALL of Ohio, Mr. HARRIS, Mr. HOCHBRUECKNER, Mr. HORTON, Mr. IRELAND, Mr. JOHNSON of South Dakota, Mrs. JOHNSON of Connecticut, Ms. KAPTUR, Mr. KASICH, Mrs. KENNELLY, Mr. KILDEE, Mr. LANCASTER, Mr. LANTOS, Mr. LEWIS of California, Mr. LEWIS of Georgia, Mr. MARTIN, Mr. MARTINEZ, Mr. MAVROULES, Mr. NEAL of Massachusetts, Mr. OBERSTAR, Mr. ORTON, Mr. OWENS of New York, Mr. OWENS of Utah, Mr. PALLONE, Mr. PAYNE of New Jersey, Mr. RAVENEL, Mr. RHODES, Mr. ROSE, Mr. SAVAGE, Mr. SCHUMER, Mr. SHARP, Mr. SLATTERY, Mr. SOLARZ, Mr. SPENCE, Mr. SPRATT, Mr. STAGGERS, Mr. STARK, Mr. TRAFICANT, Ms. WATERS, Mr. WEISS, Mr. WHITTEN, Mr. WOLPE, Mr. YATRON, and Mr. YOUNG of Florida.

H.J. Res. 435: Mr. DELLUMS, Mr. ESPY, Mr. FORD of Tennessee, Ms. NORTON, Mr. TOWNS, and Mr. KILDEE.

H.J. Res. 442: Mr. MILLER of Washington, Mr. WOLF, Mr. SHAYS, Mr. QUILLLEN, Mr. BAKER, Mr. BALLENGER, Mr. RAVENEL, Mrs. MEYERS of Kansas, Mr. MCEWEN, Mr. NUSSLE, Mr. LUKE, Mr. PASTOR, Mrs. PATTERSON,

Mr. LAUGHLIN, Mrs. COLLINS of Michigan, Mr. HEFNER, Mr. JOHNSTON of Florida, Mr. TRAFICANT, Mr. WELDON, Mr. TOWNS, Mr. HOBSON, Mr. PRICE, Mr. COLORADO, Mr. FRANK of Massachusetts, Mr. McDERMOTT, Mrs. BOXER, Mr. GONZALEZ, Mr. MARTINEZ, Mr. HAMMERSCHMIDT, and Mr. ENGEL.

H.J. Res. 466: Mr. SAWYER, Mr. SCHULZE, Mr. WASHINGTON, Mr. INHOFE, Mr. YATRON, Mr. SHUSTER, Mr. FIELDS, Mr. SANDERS, Mr. RAVENEL, Mr. MOODY, Mr. BLILEY, Mr. DICKINSON, Mr. BEVILL, Mr. PAXON, Mr. LEWIS of California, Mr. MARTINEZ, Mr. SHAYS, Mr. HANSEN, Mr. SMITH of Florida, Mr. ROWLAND, Mr. HYDE, Mr. HAYES of Illinois, Mr. BURTON of Indiana, Mr. LEACH, Mr. SLATTERY, Mr. BUNNING, Mr. McCRERY, Mr. HUCKABY, Mr. NICHOLS, Mr. WOLPE, Mr. OBERSTAR, Mr. ESPY, Mr. JOHNSON of South Dakota, Mr. CLEMENT, Mr. RANGEL, Mr. GRANDY, Mr. COX of California, Mr. HOBSON, Mr. HUBBARD, Mr. SANGMEISTER, Mr. EMERSON, Mr. LEVIN of Michigan, Ms. MOLINARI, Mr. DAVIS, Mr. DEFazio, Mr. KOPETSKI, Mr. QUILLLEN, Mr. EWING, Mr. McMILLEN of Maryland, Mr. STUDDS, Mr. MCGRATH, Mr. MCEWEN, Mr. BLACKWELL, Mr. HOYER, Mr. VENTO, Mr. LANCASTER, Mr. DORNAN of California, Mr. ENGEL, Mr. HUGHES, Mr. ACKERMAN, Mr. CARDIN, Mr. RHODES, Mr. MINETA, Mr. DWYER of New Jersey, Mr. PAYNE of New Jersey, Mr. OWENS of New York, Mr. BILBRAY, Mr. HOCHBRUECKNER, Mr. COSTELLO, Mr. LAFALCE, Mr. LEHMAN of Florida, Mrs. MORELLA, Mr. LIVINGSTON, Mr. SCHIFF, Mr. GILCHREST, Mr. FRANKS of Connecticut, Mr. ROSE, Mr. TRAFICANT, Mr. PURSELL, Mr. FRANK of Massachusetts, Mr. BLAZ, Mr. WYDEN, Mr. TRAXLER, Mr. MFUME, Mr. GOODLING, Mr. WAXMAN, Mr. COUGHLIN, Mr. SERRANO, Mr. BROOKS, Mr. JEFFERSON, Mr. REGULA, Ms. NORTON, Mr. CALLAHAN, Mr. ANDERSON, Mr. MCCOLLUM, Mr. JONES of Georgia, Mr. FAWELL, Mr. JONTZ, Mr. FALCOMA, Ms. DE LAURO, Mrs. BENTLEY, Mr. HEFNER, Mr. TAUZIN, Mr. FEIGHAN, Mr. KASICH, Mr. LEWIS of Florida, Ms. SLAUGHTER, Mr. RITTER, Mr. PRICE, Mr. FASCELL, Mr. HARRIS, Mr. LOWERY of California, Mr. DANNEMEYER, Mr. IRELAND, Mr. MICHEL, Mr. EVANS, Mrs. MEYERS of Kansas, Mr. CONYERS, Mr. DE LUGO, Mr. SHAW, Mr. ROE, Mr. DOWNEY, Mr. MILLER of Washington, Mr. VANDER JAGT, Mr. APPELATE, Mr. WEISS, Mr. HUTTO, Mr. THOMAS of Wyoming, Mr. TALLON, Mr. NATCHER, Mr. YOUNG of Alaska, Mr. RIGGS, Ms. LONG, Mr. PACKARD, Mr. TAYLOR of Mississippi, Mr. SKELTON, Mr. BROWN, Mr. COLORADO, Mr. VALENTINE, Mr. BENNETT, Mr. HOAGLAND, Mr. DONNELLY, Ms. KAPTUR, Mr. PICKETT, Mr. SYNAR, Mr. SOLARZ, Mr. CLINGER, Mr. RAY, Mrs. PATTERSON, Mr. PASTOR, Mr. DOOLITTLE, Mr. DIXON, Mr. MONTGOMERY, Mr. FLAKE, Mr. PARKER, Mr. COLEMAN of Texas, Mrs. VUCANOVICH, Mr. PALLONE, Mr. ANDREWS of New Jersey, Mr. SCHEUER, Mr. GINGRICH, Mr. JONES of North Carolina, Mr. MAVROULES, Mr. DORGAN of North Dakota, Mr. STOKES, Mr. MURPHY, Mr. SPRATT, Mr. BUSTAMANTE, Mr. CHANDLER, Ms. OAKAR, Mr. MORAN, Mr. MOLLOHAN, Mr. MATSUI, Mrs. MINK, Ms. PELOSI, Mr. GALLO, Mr. SMITH of New Jersey, Mr. WALSH, Mr. GILMAN, Mr. GEREN of Texas, Mr. CARPER, Mr. HUNTER, Mr. OXLEY, Mr. BREWSTER, Mr. BORSKI, Mr. SPENCE, Mr. SISISKY, Mr. LANTOS, Mr. SMITH of Texas, Mr. MANTON, Ms. SNOWE, Mr. ROGERS, and Mr. ORTON.

H. Con. Res. 180: Mr. MARTINEZ.

H. Con. Res. 192: Mr. MARKEY, Mr. STOKES, Mr. WHEAT, Ms. DE LAURO, Mr. KILDEE, Mr. KASICH, Mr. ARMEY, Mr. GRANDY, Mr. HUNTER, Mr. HYDE, Mr. LIVINGSTON, Mr. MCGRATH, Mrs. MORELLA, Mr. RAMSTAD, Mr.

RIDGE, Mr. SCHULZE, Mr. WALKER, Mrs. ROUKEMA, Mr. SLATTERY, Mr. HOBSON, and Mr. TAUZIN.

H. Con. Res. 246: Mr. SAWYER, Mr. THOMAS of Georgia, Mr. MFUME, Mr. STAGGERS, Mr. RANGEL, Mr. HERTEL, Mr. WISE, Mr. MONTGOMERY, Ms. COLLINS of Michigan, Ms. OAKAR, Mr. DIXON, Mr. DICKS, Mr. MAUROLES, and Mr. PRICE.

H. Con. Res. 248: Mr. ACKERMAN, Mr. TORRICELLI, Mr. CARPER, and Ms. PELOSI.

H. Con. Res. 274: Mr. CAMPBELL of California and Mr. PALLONE.

H. Con. Res. 282: Mr. MORAN, Mr. HERTEL, Mr. SMITH of New Jersey, Mr. NOWAK, Mr. SOLARZ, Mr. McNULTY, Mr. LUKE, Mr. GALLO, Mr. CAMP, Mrs. COLLINS of Michigan, Mr. FORD of Michigan, Mr. HAMMERSCHMIDT, Mr. DAVIS, Mr. CONYERS, Mr. FISH, Mr. WHEAT, Mr. CARR, Mr. APPELGATE, Mr. EDWARDS of California, Mr. BLACKWELL, Mr.

FORD of Tennessee, Mr. STAGGERS, Mr. JACOBS, Mr. HOBSON, Mr. WILSON, Mrs. LOWEY of New York, Mr. RICHARDSON, Mr. GEKAS, Mr. FEIGHAN, Mr. RAMSTAD, Mr. FLAKE, Mr. NEAL of North Carolina, Mrs. MINK, Mr. JENKINS, Mr. COYNE, Mr. TALLON, Mr. DINGELL, Mr. McEWEN, Mr. TOWNS, Mr. COLORADO, Mr. RANGEL, Mr. REED, Mr. EMERSON, Mr. KLECZKA, Mr. BONIOR, Mr. BOEHNER, Mr. SHUSTER, Mr. GOODLING, Mr. KENNEDY, Ms. NORTON, Mr. SAWYER, Mr. ABERCROMBIE, Mr. CLAY, and Mr. SKELTON.

H. Con. Res. 301: Mr. DORNAN of California, Mr. SAXTON, Mr. ACKERMAN, Mr. SCHEUER, Mr. CHAPMAN, Mr. KOSTMAYER, Mr. ZELIFF, Mr. LENT, and Mr. BATEMAN.

H. Res. 257: Mr. PERKINS.

H. Res. 323: Mr. BUSTAMANTE.

H. Res. 359: Mr. OWENS of Utah and Mr. EVANS.

H. Res. 377: Mr. JAMES.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

152. By the SPEAKER: Petition of the council of the city of New York, New York, NY, relative to loan guarantees for Israel; to the Committee on Foreign Affairs.

153. Also, petition of the council of the city of New York, City Hall, New York, NY, relative to the Haitian Refugee Act; to the Committee on the Judiciary.

154. Also, petition of Illinois Association of County Veterans Assistance Commissions, Kankakee, IL, relative to the needs of veterans; to the Committee on Veterans' Affairs.